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ONTARIO

STATUTES

OF THE

PROVINCE OF ONTARIO

PASSED IN THE SESSION HELD AT TORONTO IN THE

Fifteenth and Sixteenth Years of the Reign
of Her Majesty
QUEEN ELIZABETH II

Being the Fifth Session of the Twenty-Seventh
Legislature of Ontario

CONVENED ON THE 25TH DAY OF JANUARY, 1967, AND
PROROGUED ON THE 15TH DAY OF JUNE, 1967

HIS HONOUR WILLIAM EARL ROWE
LIEUTENANT GOVERNOR

TORONTO
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1967



ONTARIO

STATUTES

OF THE

PROVINCE OF ONTARIO

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QUEEN ELIZABETH II

Being the First Session of the Twenty-Seventh
Legislature of Ontario

ENACTED ON THE TEN DAY OF JANUARY 1961
AND PASSED ON THE TEN DAY OF JUNE 1961

HIS HONOUR WILLIAM EARL ROWE
LIEUTENANT GOVERNOR

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PART I
PUBLIC ACTS

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ONTARIO

15-16 ELIZABETH II

CHAPTER 1

An Act to amend The Agricultural Development Finance Act

*Assented to June 15th, 1967
Session Prorogued June 15th, 1967*

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Section 2 of *The Agricultural Development Finance Act* R.S.O. 1960, c. 9, s. 2, re-enacted is repealed and the following substituted therefor:

2. The Lieutenant Governor in Council may from time Conditions as to interest and payment to time fix the conditions as to interest and repayments that will govern such deposits.

2. This Act comes into force on the day it receives Royal Commencement Assent.

3. This Act may be cited as *The Agricultural Development Finance Amendment Act, 1967*. Short title

CHAPTER 2

The Air Pollution Control Act, 1967

*Assented to June 15th, 1967
Session Prorogued June 15th, 1967*

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. In this Act,**Interpre-
tation**

- (a) "air contaminant" means a solid, liquid, gas, odour, or combination of any of them, that contributes to air pollution;
- (b) "air pollution" means the presence in the outdoor atmosphere of any air contaminant or contaminants in quantities that may cause discomfort to or endanger the health or safety of persons, or that may cause injury or damage to property or to plant or animal life or that may interfere with visibility or the normal conduct of transport or business;
- (c) "Board" means The Air Pollution Control Advisory Board;
- (d) "construct" includes the erection, reconstruction, installation, alteration or modification of a stationary source of air pollution and the replacement of any part thereof, but does not include routine maintenance;
- (e) "Department" means the Department of Health;
- (f) "Minister" means the Minister of Health;
- (g) "motor vehicle" means any self-propelled vehicle designed for transporting persons or property on a highway;
- (h) "operator" means the person in occupation or having the charge, management or control of any land or

premises

premises on or in which a source of air pollution is located, whether on his own account or as the agent of any other person;

- (i) "owner" includes the person for the time being receiving the rent of the land or premises on or in which a source of air pollution is located, whether on his own account or as agent or trustee of any other person;
- (j) "provincial officer" means a person who is designated by the Minister as a provincial officer for the purposes of this Act and the regulations;
- (k) "regulations" means the regulations made under this Act;
- (l) "stationary source of air pollution" means any equipment, apparatus, device, mechanism or structure, except a motor vehicle, that may be a source of air pollution. R.S.O. 1960, c. 12, s. 1 (1), *amended*.

Powers and
duties of
Minister

2. The Minister, for the purposes of the administration and enforcement of this Act and the regulations, may,

- (a) investigate air pollution problems;
- (b) conduct research in the field of air pollution;
- (c) conduct air quality and meteorological studies and monitoring programmes;
- (d) convene conferences, conduct seminars and educational programmes in the field of air pollution;
- (e) publish and disseminate information on air pollution;
- (f) make grants,
 - (i) to universities and other organizations for research and training of persons in the field of air pollution, and
 - (ii) to municipalities to assist in the administration and enforcement of air pollution by-laws,

in such amounts and upon such terms and conditions as the regulations may prescribe;

(g)

- (g) appoint committees to perform such advisory functions as the Minister deems desirable. R.S.O. 1960, c. 12, s. 2, *amended*.

3. The Minister may authorize any officer or officers of the Department to exercise and discharge in his place any of the powers conferred or duties imposed upon him under this Act, except sections 6 and 10, or under the regulations. *New.* ^{Delegation of powers to officer}

4.—(1) A board to be known as "The Air Pollution Control Advisory Board" shall be established consisting of not more than twelve members appointed by the Lieutenant Governor in Council as the regulations prescribe, one of whom may be designated as chairman and one as secretary. ^{Advisory Board}

(2) The composition of the Board shall be such as to provide for competent and knowledgeable persons in the engineering, medical, urban planning, industry, agricultural and labour fields and members at large. ^{Members}

(3) No member, servant or employee of the Board may serve until he takes and subscribes before the Minister an oath of office and secrecy in the following form: ^{Oath of office and secrecy}

I,, do swear that I will faithfully discharge my duties as a member of The Air Pollution Control Advisory Board and, except as I may be legally authorized or required, I will not disclose or give to any person any information or document that comes to my knowledge or possession by reason of my duties as a member of The Air Pollution Control Advisory Board.

So help me God.

(4) Vacancies in the membership of the Board may be filled by the Lieutenant Governor in Council. ^{Vacancies}

(5) The Board shall review and report upon the recommendations of a provincial officer and perform such other duties and functions as the Minister may direct. 1961-62, c. 3, s. 1, *amended*. ^{Duties of Board}

5.—(1) The Minister may designate officers of the Department as provincial officers for the purposes of this Act and the regulations. ^{Provincial officers}

(2) A provincial officer may enter in or upon any land or premises at any reasonable time and make or require to be made such examinations, tests and inquiries as may be necessary or advisable for the purposes of this Act or the regulations. ^{Powers of provincial officers}

(3) Every operator and owner shall furnish such information as a provincial officer requires for the purposes of this Act or the regulations. R.S.O. 1960, c. 12, s. 7, *amended*. ^{Information}

Power to
review, etc.

6.—(1) Any person who complains that it is not feasible or practicable to comply with a certificate of approval or order issued or made under this Act may request the Minister to review the certificate or order, and the Minister may review, rescind or alter any such certificate or order. R.S.O. 1960, c. 12, s. 8, *amended*.

Appeal
to judge

(2) If after a review by the Minister any person complains that it is still not feasible or practicable to comply with the certificate of approval or order, he may, within fifteen days after receipt of the decision of the Minister, appeal to a judge of the county or district court of the county or district in which the source of air pollution in respect of which the certificate or order was issued or made is located, and such appeal shall be a hearing *de novo*, and the judge may dismiss the appeal or rescind or alter any such certificate or order and his decision is final. *New*.

Approval to
creation of
new
stationary
source
of air
pollution
required

7.—(1) No person shall construct a stationary source of air pollution unless he has obtained from the Minister a certificate of approval to the method and devices to be employed to control the emission of any air contaminant into the outdoor atmosphere from the source and to prevent air pollution.

Application,
plans, etc.

(2) An applicant for a certificate of approval shall submit to the Minister such plans, specifications and other information with respect to the source of air pollution as the Minister may require.

Certificate
of approval

(3) The Minister may issue a certificate of approval subject to such terms and conditions respecting the method and devices to be employed for the control of the emission of any air contaminant into the outdoor atmosphere from the source of air pollution, and for the prevention of air pollution as the Minister deems necessary. *New*.

Survey by
provincial
officer

8.—(1) A provincial officer may survey from time to time any source of air pollution and after completing such survey shall report thereon with his recommendations,

- (a) respecting the stationary source of air pollution and such method of operation and devices as may be necessary to prevent or lessen the emission of any air contaminant into the outdoor atmosphere; or
- (b) respecting the source of air pollution where no equipment, apparatus, device, mechanism or structure is involved and such method of operation as may be necessary to prevent or lessen the emission of any air contaminant into the outdoor atmosphere.

(2) The provincial officer shall file his report and recommendations with the Department and shall serve upon the operator or owner of the source of air pollution a copy thereof. Report to be sent to Department and operator

(3) Upon receipt of a request in writing of the operator or owner filed with the secretary of the Board not later than fourteen days after the operator or owner received a copy of the report and recommendations, the Board shall review the report and recommendations of the provincial officer and, before it reports thereon with its recommendations, the Board shall provide the Minister and the operator or owner with an opportunity of appearing before it at a hearing to be held not earlier than fourteen days after notice has been served on the Minister and the operator or owner stating the time and place of the hearing. Review of report and recommendations by Board

(4) Upon a hearing, the parties are entitled to be present and to be represented by counsel and make such representations as they desire. Counsel

(5) The Board shall send its report and recommendations to the Minister and shall forthwith serve a copy thereof upon the operator or owner. *New.* Report of Board

9.—(1) Upon receipt of the report and recommendations of a provincial officer or, if such a report and recommendations are reviewed by the Board, upon receipt of the report and recommendations of the Board, the Minister may make such order as he deems necessary for prohibiting the operation of the source of air pollution or requiring changes respecting the source of air pollution or the method of operation or devices employed to prevent or lessen the emission of any air contaminant or to reduce or control air pollution. Order of Minister

(2) No order in respect of a source of air pollution shall be made under subsection 1 until fourteen days have elapsed after the report and recommendations of a provincial officer have been received by the operator or owner of the source of air pollution. *New.* No order until time for requesting review expires

10.—(1) Whenever the Minister, after investigation, is of the opinion that any person is emitting or causing to be emitted into the outdoor atmosphere any air contaminant that constitutes a serious danger to the health of any persons and that it would be prejudicial to the interests of such persons to delay action to complete a survey under section 8, he shall notify the person by a written order that he must immediately discontinue the emission of such contaminant into the outdoor atmosphere, including reasons therefor, whereupon such person shall immediately discontinue such emission. Where pollution creates serious danger to health

Hearing

(2) The Minister shall, as soon as possible thereafter and in any event not later than seven days after giving such notice, provide the person with an opportunity to be heard and to present any evidence that such emission does not constitute a serious danger to the health of any persons. *New.*

Where air pollution causes damage to crops or live stock

11.—(1) Where a person complains that air pollution is causing or has caused injury or damage to live stock or to crops, trees or other vegetation which may result in economic loss to such person, he may, within fourteen days after the injury or damage becomes apparent, request the Minister to conduct an investigation.

Request for investigation

(2) Upon receipt of a request, the Minister may cause an investigation to be made and a report prepared of the findings of the investigation.

Report of investigation

(3) A copy of the report shall be given to the claimant and to the operator or owner of the source of air pollution alleged to be the cause of the injury or damage.

Right of owner to view damage, etc.

(4) The claimant shall permit the operator or owner of such source of air pollution or his agent to view the injury or damage and to remove samples and conduct tests and examinations as may be reasonably necessary to establish the cause of the injury or damage.

Board of negotiation

(5) A board of negotiation shall be established consisting of two or more members appointed by the Lieutenant Governor in Council, one of whom may be designated as chairman.

Quorum

(6) Any two members of the board of negotiation constitutes a quorum and are sufficient to perform all the functions of the board on behalf of the board.

Place of sitting

(7) The board of negotiation may sit at any place in Ontario.

Notice of amount of claim

(8) If a complainant who has requested an investigation under subsection 1 desires to have his claim for injury or damage negotiated by the board of negotiation, he shall notify the Minister and the operator or owner of the source of air pollution alleged to be the cause of the injury or damage of the amount of his claim within a reasonable time after the amount can be determined.

Notice of negotiation

(9) If the claimant and the operator or owner are not able to settle the claim within thirty days after notice of the claim is given to the Minister under subsection 8, the claimant or the operator or owner may serve notice of negotiation upon the other of them and upon the board of negotiation stating that he requires a settlement of the claim to be negotiated by the board of negotiation.

(10) Upon receipt of a notice of negotiation, the board of negotiation shall assess the injury or damage in respect of which the claim is made and, upon reasonable notice to the claimant and to the operator or owner, shall meet with them and, without prejudice to any subsequent proceedings, proceed in a summary and informal manner to negotiate a settlement of the claim. Negotiation proceedings

(11) This section does not apply to injury or damage caused by sulphur fumes arising from the operations designated in *The Damage by Fumes Arbitration Act. New.* Application to sulphur fumes
R.S.O. 1960
c. 86

12.—(1) No person shall sell, offer or expose for sale a new motor vehicle or new motor vehicle engine of a class or type that is required by the regulations to have installed on or incorporated in it any system or device to prevent or lessen the emission into the outdoor atmosphere of any air contaminant or contaminants unless such motor vehicle complies with the regulations. Sale of new motor vehicles and engines contrary to regulations

(2) Every person who contravenes any provision of this section is guilty of an offence and on summary conviction is liable to a fine of not less than \$50 and not more than \$500. *New.* Offence

13.—(1) No person shall operate a motor vehicle of a class or type that is required by the regulations to have installed on or incorporated in it any system or device to prevent or lessen the emission into the outdoor atmosphere of any air contaminant or contaminants unless such motor vehicle has installed on or incorporated in it such system or device and makes effective use of such system or device. Operation of motor vehicles without effective system or device

(2) Every person who contravenes any provision of this section is guilty of an offence and on summary conviction is liable to a fine of not more than \$100. *New.* Offence

14.—(1) The Lieutenant Governor in Council may make regulations, Regulations

- (a) classifying sources of air pollution and exempting any class or classes from the provisions of this Act and the regulations;
- (b) classifying motor vehicles and motor vehicle engines for the purpose of any regulation and exempting any class or type of motor vehicle or motor vehicle engine from any regulation;
- (c) requiring motor vehicles or any class or type thereof and motor vehicle engines or any class or type thereof to have installed thereon or incorporated therein one

or more systems or devices to prevent or lessen the emission into the outdoor atmosphere of any air contaminant or contaminants, prescribing the standards and specifications of any such system or device, prescribing the standards of emission into the outdoor atmosphere of any air contaminant or contaminants to which any such system or device shall comply and providing for the testing and inspection of any such system or device;

- (d) defining and designating new motor vehicles and new motor vehicle engines for the purpose of any regulation;
- (e) prohibiting or regulating and controlling the emission of any air contaminant or contaminants into the outdoor atmosphere from any source of air pollution or any class thereof;
- (f) regulating the quality of fuels that may be used for heating, generating steam or electricity or for industrial processes;
- (g) designating the areas in Ontario to which this Act and the regulations are applicable and designating the date on which this Act and the regulations become effective in any area;
- (h) prescribing the composition, quorum and practice and procedure of the Board and the terms of office and remuneration of its members;
- (i) prescribing the amounts of grants payable to universities and municipalities, and the terms and conditions of such grants;
- (j) prescribing the ambient air quality criteria to be used in controlling, regulating or prohibiting the emission of any air contaminant or contaminants into the outdoor atmosphere and the standards thereof;
- (k) respecting any matter necessary or advisable to carry out effectively the intent and purpose of this Act.

Scope of
regulations

(2) Any regulation may be general or particular in its application and may be limited as to time or place or both. R.S.O. 1960, c. 12, s. 6, *amended*.

15. Notwithstanding any general or special Act, this Act ^{Application of Act and} and the regulations apply in such areas in Ontario as are ^{regulations} designated by the regulations. *New.*

16.—(1) Every person who contravenes any provision of ^{Offences} this Act, except section 12 or 13, or of the regulations or any order of the Minister made under this Act or the regulations, is guilty of an offence and on summary conviction is liable, if an individual, to a fine of not more than \$2,000, and, if a corporation, on first conviction to a fine of not more than \$5,000 and on each subsequent conviction to a fine of not more than \$10,000.

(2) Each day that a person contravenes a provision of ^{Idem} this Act or the regulations or an order made by the Minister constitutes a separate offence. R.S.O. 1960, c. 12, s. 9; 1966, c. 5, s. 1, *amended*.

17. Any report, order or notice served under this Act shall ^{Service of reports, orders, etc.} be deemed to be sufficiently served if it or a copy thereof is delivered to the operator of the source of air pollution in respect of which the report, order or notice is served, or is delivered,

- (a) in the case of a municipality, including a metropolitan municipality, to the head or clerk of the municipality;
- (b) in the case of any other corporation, to the president, vice-president, manager, treasurer, secretary, clerk or agent of the corporation or of any branch or agency thereof in Ontario;
- (c) in the case of a firm or partnership, to any member thereof, or, at the last known place of abode of any such member, to any adult member of his household, or, at the office or place of business of the firm or partnership, to a clerk employed therein; or
- (d) in the case of an individual, to him, or, at his last known place of abode, to any adult member of his household, or, at his office or place of business, to a clerk employed therein. *New.*

18. Every air pollution control by-law of a municipality, ^{Air pollution control by-laws} including a metropolitan municipality, passed under *The Air Pollution Control Act* or *The Municipal Act*, that is in force ^{R.S.O. 1960, cc. 12, 249} immediately before this Act comes into force, shall remain in force until this Act and the regulations become effective in the municipality, and *The Air Pollution Control Act* and the

amendments thereto referred to in section 19 shall remain in force in the municipality until this Act and the regulations become effective in the municipality. *New.*

Repeal: **19.** Subject to section 18, the following are repealed:

R.S.O. 1960,
c. 12;

1. *The Air Pollution Control Act.*

1961-62, c. 3;

2. *The Air Pollution Control Amendment Act, 1961-62.*

1962-63, c. 2;

3. *The Air Pollution Control Amendment Act, 1962-63.*

1966, c. 5

4. *The Air Pollution Control Amendment Act, 1966.*

Commence-
ment

20. This Act comes into force on a day to be named by the Lieutenant Governor by his proclamation.

Short title

21. This Act may be cited as *The Air Pollution Control Act, 1967.*

CHAPTER 3

The Anatomy Act, 1967

*Assented to June 15th, 1967
Session Prorogued June 15th, 1967*

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. In this Act,Interpre-
tation

- (a) "disposition" means any disposition that may be made of a body under *The Cemeteries Act*, and "dispose" has a corresponding meaning; R.S.O. 1960,
c. 47
- (b) "general inspector" means the general inspector of anatomy;
- (c) "local inspector" means a local inspector of anatomy having jurisdiction, and includes the general inspector;
- (d) "private morgue" means a place where bodies are customarily retained before their disposition, other than a public morgue;
- (e) "public morgue" means a place under the control and management of a municipal corporation where bodies are retained before their disposition;
- (f) "regulations" means the regulations made under this Act;
- (g) "school" means an institution designated as a school by the regulations. R.S.O. 1960, c. 14, s. 1, *amended*.

2.—(1) The Lieutenant Governor in Council may appoint a general inspector of anatomy who shall perform such duties as are assigned to him by this or any other Act, and may perform any of the duties of a local inspector anywhere in Ontario. General
inspector

(2) The Lieutenant Governor in Council may appoint persons who are coroners as local inspectors of anatomy for such Local
inspectors

areas

areas in Ontario as is deemed advisable, and each local inspector shall perform such duties as are assigned to him under this or any other Act, in the area in his jurisdiction, under the supervision and direction of the general inspector. R.S.O. 1960, c. 14, s. 2, *amended*.

Termination
of office

(3) When a local inspector ceases to be a coroner, his appointment as local inspector is terminated.

Fees

(4) The general inspector and local inspectors are entitled to the fees required to be paid to them under this Act. *New*.

Notice
to local
inspector,
etc.
R.S.O. 1960,
c. 69

3.—(1) Subject to *The Coroners Act*, the person having possession of the body of a deceased person that,

(a) is unclaimed by a relative or *bona fide* friend within twenty-four hours after the death; and

1962-63,
c. 59

(b) has not been or will not be used for a purpose authorized under *The Human Tissue Act, 1962-63*,

shall notify the local inspector and shall furnish the local inspector with such information respecting the deceased person as is within the knowledge of the notifier and as the local inspector requires.

Bodies under
control of
local
inspector

(2) A body of which the local inspector is notified under subsection 1 shall be deemed to be under his control for the purposes of this Act. R.S.O. 1960, c. 14, s. 3 (1), *part, amended*.

Claiming
bodies

(3) A body, while under the control of the local inspector, may be claimed by a relative for disposition or by any other person who gives a *bona fide* undertaking to dispose of the body. R.S.O. 1960, c. 14, s. 3 (2), *part, amended*.

Bodies for
anatomical
dissection
R.S.O. 1960,
c. 69

4.—(1) Subject to *The Coroners Act*, the local inspector may cause a body under his control to be delivered to a teacher of anatomy or surgery in a school, for the purpose of anatomical dissection. R.S.O. 1960, c. 14, s. 3 (2), *part, amended*.

Idem

(2) No body upon which a *post mortem* examination has been performed shall be delivered to a teacher of anatomy or surgery in a school unless the school is first informed of the *post mortem* examination and consents to accept the body. *New*.

Claiming
of bodies
after
delivery
to school

5.—(1) A school that receives a body under section 4 shall keep and preserve the body for not fewer than fourteen days, and, if the body is claimed within that time by a person

entitled to claim the body under section 3, the school shall deliver the body to such person upon payment of the transportation costs actually incurred by the school, or such part of the costs as the school requires, and shall notify the general inspector of the fact. R.S.O. 1960, c. 14, s. 6 (1), *amended*.

(2) A school that receives a body for the purpose of anatomical dissection other than under section 4 shall immediately notify the local inspector and shall not begin a dissection of the body until the local inspector has certified in writing that he has obtained such particulars of the body as he requires. 1965, c. 3, s. 1, *amended*. Donated
bodies

6. Where doubt exists as to whether a person is entitled to claim a body under section 3 or 5, the person claiming the body may apply to a magistrate or, where no magistrate is available, to a justice of the peace having jurisdiction in the locality where the body is found for an order (Form 1), and the magistrate or justice of the peace may make the order. R.S.O. 1960, c. 14, s. 3 (3), *amended*. Magis-
trate's
order

7. A school receiving a body shall dispose of the body at the expense of the school after it has served the purpose for which it was received, but, before disposing of the body, the school shall give notice of the disposition to the general inspector. 1965, c. 3, s. 3, *amended*. Disposition
of bodies
by school

8. Every school shall keep such records as are prescribed by the regulations, and the records shall be open at all times to inspection by the general inspector or a local inspector. R.S.O. 1960, c. 14, s. 6 (2), *amended*. Records
by school

9.—(1) The general inspector may inspect the methods and facilities of a school for handling, preserving, storing, dissecting and disposing of bodies and the parts thereof. Inspection

(2) The general inspector may make such orders in writing as he deems necessary requiring a school to provide and maintain any of the methods and facilities referred to in subsection 1 in accordance with good anatomical practices, and, where an order is not complied with, the general inspector may, in his discretion, suspend delivery of bodies to the school for such periods as he determines. *New*. Orders
of general
inspector

10. Every local inspector shall, Duties
of local
inspector

(a) keep a register showing,

- (i) the name, sex, age, birthplace and last place of residence of every person whose body is under his control or of whose body he has been notified under subsection 2 of section 5, and

(ii)

(ii) the name of the school to which the body was delivered and the date of the delivery; and

(b) furnish the general inspector with such information as he requires. R.S.O. 1960, c. 14, s. 7, *amended*.

Duty of
municipi-
pality to
bury

11. Subject to this Act, any unclaimed body found within the limits of a city, town, village or township shall, at the request of the local inspector or, where there is no local inspector appointed under subsection 2 of section 2, of a coroner, be disposed of at the expense of the corporation, but the corporation may recover the expense thereof from the estate of the deceased or from any person whose duty it was to dispose of the body. R.S.O. 1960, c. 14, s. 17, *amended*.

Storage in
morgues

12.—(1) A local inspector or, where there is no local inspector, a coroner may order a body to be stored in a public morgue or retained in a private morgue until other arrangements are made.

Security in
morgues

(2) Every person in charge of a public or private morgue shall ensure that bodies in the morgue are secure against unlawful interference. *New*.

Offence

13.—(1) Every person who contravenes this Act is guilty of an offence and on summary conviction is liable, if a corporation, to a fine of not more than \$2,000 or, if not a corporation, to a fine not exceeding \$1,000 or to imprisonment for a term of not more than one year, or to both. R.S.O. 1960, c. 14, s. 14, *amended*.

Liability
of cor-
poration of
which school
a part

(2) For the purposes of subsection 1, where an institution that is designated as a school for the purposes of this Act is part of a college or university, that is a corporation, a duty imposed by this Act on the school shall be deemed to be imposed on the corporation. *New*.

Regulations

14. The Lieutenant Governor in Council may make regulations,

- (a) designating schools for the purposes of this Act;
- (b) prescribing the records that shall be kept by schools;
- (c) prescribing the duties of the general inspector and the local inspectors in addition to the duties imposed by this Act;

(d)

- (d) requiring the payment of fees to the general inspector and local inspectors for services performed under this Act and the regulations, and prescribing the amounts thereof;
- (e) prescribing forms for the purposes of this Act and providing for their use. *New.*

15. *The Anatomy Act, The Anatomy Amendment Act, 1964* and *The Anatomy Amendment Act, 1965* are repealed.

R.S.O. 1960, c. 14;
1964, c. 2;
1965, c. 3,
repealed

16. This Act comes into force on the 1st day of July, 1967.

Commence-
ment

17. This Act may be cited as *The Anatomy Act, 1967*.

Short title

FORM 1
(Section 6)

The Anatomy Act, 1967

To whom it may concern:

Whereas *A.B.* of (*here state the residence and occupation of the person by whom or on whose behalf the order is applied for*) has satisfied me that he is a relative (*or is a bona fide friend, or has given a bona fide undertaking to dispose of the body*) of *C.D.*, deceased, and is entitled to have the body delivered to him for the purpose of disposition.

I hereby authorize and order every person and authority having the present custody or control of the body forthwith upon presentation of this order to deliver it to the said *A.B.* for disposition.

Witness my hand as Magistrate (*or Justice of the Peace*) of and for the
.....of.....
(*as the case may be*), this.....day of....., 19...
.....

R.S.O. 1960, c. 14, Form 1, *amended*.

CHAPTER 4

An Act to amend The Assessment Act

Assented to June 15th, 1967
Session Prorogued June 15th, 1967

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) Subsection 1 of section 27 of *The Assessment Act*, R.S.O. 1960, as amended by section 3 of *The Assessment Amendment Act*, c. 23, s. 27, 1961-62, is further amended by striking out “assessment commissioner or, if none, to the clerk of the municipality” in the sixth and seventh lines and inserting in lieu thereof “person whose name appears on the assessment notice as the person giving the notice on behalf of the municipality”, so that the subsection shall read as follows:

- (1) The court of revision shall hear and determine all ^{School support} complaints with regard to persons alleged to be wrongfully placed upon or omitted from the roll as public school supporters or as Roman Catholic separate school supporters, and any person so complaining or any ratepayer or school board may give notice in writing to the person whose name appears on the assessment notice as the person giving the notice on behalf of the municipality of such complaint, and the provisions of this Act as to giving notice of complaints against the assessment roll and proceedings for the trial thereof apply to complaints under this section except that the notice of complaint may be given at any time on or before the 14th day of October or the last day for appealing to the court of revision, whichever is the later.

(2) Subsection 3 of the said section 27 is amended by ^{R.S.O. 1960, c. 23, s. 27, subs. 3, amended} striking out “assessment commissioner or, if none, the assessor” in the third and fourth lines and inserting in lieu thereof “person to whom the notice has been given under subsection 1”, so that the subsection shall read as follows:

- (3) Notwithstanding subsection 1, if the notice of com- ^{Revised assessment notice}plaint is received more than thirty days before the last day for giving the notice under subsection 1,

the person to whom the notice has been given under subsection 1 shall prepare and deliver to the clerk of the municipality, on or before the last day for giving the notice of complaint, a revised assessment notice showing liability in accordance with the circumstances existing at the time the notice of complaint was given, which notice shall be sent by the clerk, with the notice of the sitting of the court of revision to consider the complaint, to the owner or tenant to be assessed, to the owner or tenant appearing on the assessment roll and to the complainant, and the court of revision shall amend the roll in accordance with such revised assessment notice unless one of the parties concerned or his agent appears at the hearing and objects thereto, in which event the court of revision shall determine the matter as provided in subsection 1.

R.S.O. 1960,
c. 23, s. 43,
subs. 2,
amended

2. Subsection 2 of section 43 of *The Assessment Act* is amended by inserting after "be" where it occurs the second time in the third line "owned by and", so that the subsection shall read as follows:

Property
deemed
vested in
commission

(2) For the purposes of this section, land and buildings owned by and vested in a municipal corporation and used for the purposes of a public utility shall be deemed to be owned by and vested in the commission operating the public utility.

R.S.O. 1960,
c. 23, s. 53,
subs. 4a
(1966,
c. 10, s. 11,
subs. 3),
re-enacted

3. Subsection 4a of section 53 of *The Assessment Act*, as enacted by subsection 3 of section 11 of *The Assessment Amendment Act, 1966*, is repealed and the following substituted therefor:

Evidence of
delivery
of notice

(4a) When a notice has been delivered under subsection 4, the assessor shall enter in the collector's roll, opposite the name of the person, the date of delivery of the notice or shall make one or more certificates to be attached to the roll or to any part of the roll certifying the date or dates upon which the notices were delivered, and the entry, certificate and certificates are *prima facie* evidence of the delivery.

R.S.O. 1960,
c. 23, s. 54,
subs. 3a
(1966,
c. 10, s. 12,
subs. 2),
re-enacted

4. Subsection 3a of section 54 of *The Assessment Act*, as enacted by subsection 2 of section 12 of *The Assessment Amendment Act, 1966*, is repealed and the following substituted therefor:

(3a)

- (3a) When a notice has been delivered under subsection 3, ^{Evidence of delivery of notice} the assessor shall enter in the assessment roll, opposite the name of the person, the date of delivery of the notice or shall make one or more certificates to be attached to the roll or to any part of the roll certifying the date or dates upon which the notices were delivered, and the entry, certificate and certificates are *prima facie* evidence of the delivery.

5. Subsection 1 of section 65a of *The Assessment Act*, ^{R.S.O. 1960, c. 23, s. 65a, subs. 1 (1965, c. 6, s. 4), amended} as re-enacted by section 4 of *The Assessment Amendment Act, 1965*, is amended by striking out "each" in the fourth line and inserting in lieu thereof "the", so that the subsection shall read as follows:

- (1) Where a by-law is passed in any year under sub-^{Courts of revision under county assessment commissioner} section 2 of section 93a appointing a county assessment commissioner, the council of the county shall, in the subsequent year, constitute by by-law one or more courts of revision for each township, town and village in the county.

6.—(1) Subsection 1 of section 72 of *The Assessment Act* ^{R.S.O. 1960, c. 23, s. 72, subs. 1, amended} is amended by striking out "assessment commissioner or, if none, to the clerk of the municipality" in the fifth and sixth lines and inserting in lieu thereof "person whose name appears on the assessment notice as the person giving the notice on behalf of the municipality" and by adding at the end thereof "and the person receiving such notice shall immediately transmit it to the clerk", so that the subsection shall read as follows:

- (1) Any person complaining of an error or omission in regard to himself, as having been wrongly inserted in or omitted from the roll or as having been undercharged or overcharged by the assessor in the roll, may personally or by his agent give notice in writing to the person whose name appears on the assessment notice as the person giving the notice on behalf of the municipality that he considers himself aggrieved for any or all of the causes aforesaid, and shall give a name and address where notices can be served by the clerk of the municipality as hereinafter provided, and the person receiving such notice shall immediately transmit it to the clerk. ^{Notice of complaint by person aggrieved}

(2) Subsection 2 of the said section 72 is amended by ^{R.S.O. 1960 c. 23, s. 72, subs. 2, amended} striking out "to the assessment commissioner or, if none, to the clerk of the municipality" in the first and second lines, so that the subsection shall read as follows:

Time within which notices of appeal to the court are to be given

- (2) The notice shall be given within fourteen days after the day upon which the roll is required by law to be returned, or within fourteen days after the return of the roll, in case the roll is not returned within the time fixed for that purpose.

R.S.O. 1960, c. 23, s. 72, subs. 3, amended

- (3) Subsection 3 of the said section 72 is amended by striking out "to the assessment commissioner or, if none" in the fourth and fifth lines, so that the subsection shall read as follows:

When elector thinks any person assessed at too low or too high a rate

- (3) If a person assessed thinks that any person has been assessed too low or too high or has been wrongly inserted in or omitted from the roll, he may, within the time limited by subsection 2, give notice in writing to the clerk of the municipality, and the clerk of the municipality shall give notice to such person and to the assessor of the time when the matter will be tried by the court of revision, and the matter shall be decided in the same manner as complaints by a person assessed with regard to his own assessment.

R.S.O. 1960, c. 23, s. 93, subs. 3, repealed

7. Subsection 3 of section 93 of *The Assessment Act* is repealed.

R.S.O. 1960, c. 23, s. 104, subs. 8a (1966, c. 10, s. 16, subs. 1), re-enacted

8. Subsection 8a of section 104 of *The Assessment Act*, as enacted by subsection 1 of section 16 of *The Assessment Amendment Act, 1966*, is repealed and the following substituted therefor:

Where locality in more than one territorial district

- (8a) Where a locality, except an improvement district, includes part of two or more territorial districts and a district assessor has been appointed for only one of the territorial districts, the district assessor shall have all the powers, duties and privileges under this and every other Act of an assessor and an assessment commissioner and he shall be deemed, for the purposes of this and every other Act, to be the assessor and assessment commissioner for the whole of such locality, and, where a locality, except an improvement district, includes parts of two or more territorial districts and district assessors have been appointed for two or more of such territorial districts, the district assessor of the territorial district in which the greater portion of the assessment of such locality is situate shall have all the powers, duties and privileges under this and every other Act of an assessor and an assessment commissioner and he shall be deemed, for the purposes of this and every other Act, to be the assessor and assessment commissioner for the whole of such locality.

9.—(1) Form 2 of *The Assessment Act*, as amended by ^{R.S.O. 1960,} section 20 of *The Assessment Amendment Act, 1960-61*, is ^{c. 23,} further amended by striking out “the Assessment Commis- ^{Form 2,} sioner or, if none, the clerk of the municipality in writing” ^{amended} in the fourth line in the first paragraph and inserting in lieu thereof “in writing the person whose name appears on this notice as the person giving the notice on behalf of the municipality”, so that the paragraph shall read as follows:

Take notice that you are assessed for taxation as herein specified. If you deem yourself improperly assessed in any respect you or your agent may within days after the day of 19
(Insert date on which Roll is to be returned)

notify in writing the person whose name appears on this notice as the person giving the notice on behalf of the municipality of your complaint and it will be tried by the Court of Revision.

.

(2) The said Form 2 is further amended by striking out ^{R.S.O. 1960,} “To the Assessment Commissioner or, if none, the clerk of ^{c. 23,} the municipality” in the second line in the paragraph headed ^{Form 2,} Notice of Appeal from Assessment and inserting in lieu thereof ^{amended} “To
(Insert the name of the person whose name appears on this notice as the person giving the notice on behalf of the municipality)”,

so that the paragraph shall read as follows:

NOTICE OF APPEAL FROM ASSESSMENT

Roll No (19....)

THE OF
(Name of Municipality)

To
(Insert the name of the person whose name appears on this notice as the person giving the notice on behalf of the municipality)

Take notice that I hereby appeal from the assessment made under the above-mentioned Roll Number for the following reasons:—

.

10. This Act comes into force on the day it receives Royal ^{Commence-} Assent. ^{ment}

11. This Act may be cited as *The Assessment Amendment* ^{Short title} *Act, 1967.*

CHAPTER 5

**An Act to amend and to repeal
The Assignment of Book Debts Act**

*Assented to June 15th, 1967
Session Prorogued June 15th, 1967*

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Section 17 of *The Assignment of Book Debts Act* is repealed and the following substituted therefor: R.S.O. 1960,
c. 24, s. 17,
re-enacted

17. The proper officer is entitled for services under this Act to the fees prescribed by the regulations made under *The Personal Property Security Act, 1967*. Fees
precedent to
1967, c. 73

2. *The Assignment of Book Debts Act* is amended by adding thereto the following sections: R.S.O. 1960,
c. 24,
amended

20. An assignment shall not be registered on or after the 1st day of January, 1968, unless, in addition to the other requirements of this Act, it contains and legibly sets forth at least, Conditions
precedent to
registration

(a) the full name and address of the assignor;

(b) the full name and address of the assignee;

(c) the date of execution of the assignment;

(d) a description of the book debts assigned sufficient to identify them; and

(e) the terms and conditions of the assignment.

21.—(1) Every registration made under this Act before the 1st day of January, 1968, expires on the anniversary date of the original registration next after the 1st day of January, 1971, unless a renewal statement in the prescribed form containing the particulars mentioned in section 20 is registered before such anniversary date. Expiry
of existing
registrations

Idem,
future
registrations

- (2) Every registration made under this Act on or after the 1st day of January, 1968, expires three years after the date of registration, unless a renewal statement in the prescribed form is registered before the three-year period expires.

Effect of
registration
of renewal
statement

- (3) The registration of a renewal statement extends the effect of the original registration for three years from the date of registration of the renewal statement, and so on from time to time.

Extension
of time

- (4) Where a renewal statement is not registered within the time prescribed by this section, a judge of a county or district court on application may, upon such terms and conditions and with such notice, if any, as he may order, extend the time for registration upon being satisfied that no interest of any other person will be prejudiced by such extension, but, in the event that it later appears that any such registration within the period so extended has prejudiced the rights that any person acquired before the registration, such registration shall be presumed not to have been done in conformity with this Act for the purpose of determining the rights that such person acquired before the registration.

Idem

- (5) A copy of an order made under subsection 4 shall for the purposes of registration be attached to the renewal statement to which the order relates.

R.S.O. 1960,
c. 24;
1967, c. 5,
ss. 1, 2,
repealed
1967, c. 73

3. *The Assignment of Book Debts Act* and sections 1 and 2 of this Act are repealed and, when repealed, any reference in any Act or regulation to *The Assignment of Book Debts Act* shall be deemed to be a reference to *The Personal Property Security Act, 1967*.

Commence-
ment

4.—(1) This Act, except sections 1 and 3, comes into force on the 1st day of January, 1968.

Idem

(2) Sections 1 and 3 come into force on a day to be named by the Lieutenant Governor by his proclamation.

Short title

5. This Act may be cited as *The Assignment of Book Debts Amendment and Repeal Act, 1967*.

CHAPTER 6

An Act to repeal An Act to confer certain powers upon the Bell Telephone Company of Canada

*Assented to June 15th, 1967
Session Prorogued June 15th, 1967*

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. *An Act to confer certain powers upon the Bell Telephone Company of Canada*, being chapter 71 of the Statutes of Ontario, 1882, is repealed.^{1882, c. 71, repealed}

2. This Act comes into force on the day it receives Royal Assent.^{Commence-ment}

3. This Act may be cited as *The Bell Telephone Company Act, 1967*.^{Short title}

CHAPTER 7

An Act respecting Bills of Sale

Assented to June 15th, 1967
Session Prorogued June 15th, 1967

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. In this Act,

Interpre-
tation

- (a) "actual and continued change of possession" means such change of possession as is open and reasonably sufficient to afford public notice thereof;
- (b) "creditors" includes creditors of a seller suing on behalf of themselves and other creditors, an assignee in insolvency or trustee in bankruptcy of a seller, the liquidator of a company in a winding-up proceeding under the *Winding-up Act* (Canada), and an assignee for the general benefit of creditors, as well as creditors having executions against the goods of a seller in the hands of a sheriff or other officer; R.S.C. 1952,
c. 296
- (c) "goods" has the same meaning as in *The Sale of Goods Act*. R.S.O. 1960,
c. 358 R.S.O. 1960, c. 34, s. 1, *part, amended*.

2. This Act does not apply to an assignment for the general benefit of creditors to which *The Assignments and Preferences Act* applies. Assignment
for benefit
of creditors
excepted
R.S.O. 1960,
c. 25 R.S.O. 1960, c. 34, s. 2.

3. Every sale of goods, not accompanied by an immediate delivery and followed by an actual and continued change of possession of the goods sold, shall be evidenced by a writing signed by the seller, and such writing is a bill of sale under this Act, and such bill of sale, accompanied by an affidavit of an attesting witness thereto of the due execution of the bill of sale and an affidavit of the buyer that the sale is *bona fide* and for good consideration, as set forth in the bill of sale, and not for the purpose of holding or enabling the buyer to hold the goods mentioned therein against the creditors of the seller, Sale of
goods not
attended
with
delivery

shall

shall be registered as provided by this Act; otherwise the sale is void as against the creditors of the seller and as against subsequent buyers and mortgagees in good faith. R.S.O. 1960, c. 34, s. 8, *amended*.

Effect of
agreement
to make a
sale

4. Every covenant, promise or agreement to make a sale of goods shall be evidenced by a writing and shall be deemed to be a sale of goods within the meaning of this Act. R.S.O. 1960, c. 34, s. 20, *amended*.

Bills of
sale of
goods not in
possession
of seller
or intended
for future
delivery

5. This Act applies to a sale of goods that may not be the property of or in the possession, custody or control of the seller or any person on his behalf at the time of the sale, and notwithstanding that the goods may be intended to be delivered at some future time, or that they may not at the time of the sale be actually procured or provided or fit or ready for delivery, or that some act may be required for the making or completing of the goods or rendering them fit for delivery. R.S.O. 1960, c. 34, s. 14, *amended*.

When sub-
sequent
possession
not to
validate
sale other-
wise void

6. A sale of goods that is void under this Act shall not by the subsequent taking of possession of the goods by the buyer be thereby made valid as against persons who became creditors, buyers or mortgagees in good faith before such taking of possession. R.S.O. 1960, c. 34, s. 27, *amended*.

Effect
of bill
of sale

7. Except as otherwise provided by this or any other Act, a bill of sale is effective according to its terms between the parties to it and against third parties. *New*.

Where
bills of
sale, etc.,
to be
registered

8.—(1) Subject to subsection 2, bills of sale and renewal statements under this Act shall be registered in the office of the clerk of the county or district court of the county or district in which the goods sold are situate at the time of the execution of the bill of sale.

Haliburton

(2) Where the goods are situate in the Provisional County of Haliburton, bills of sale and renewal statements shall be registered in the office of the clerk of the county court of the County of Victoria. R.S.O. 1960, c. 34, s. 21 (1, 2), *amended*.

Limitation
of time for
registration

9.—(1) In the case of a county, a bill of sale shall be registered within five days from the execution thereof.

Haliburton
and
districts

(2) In the case of the Provisional County of Haliburton or of a district, a bill of sale shall be registered within ten days from the execution thereof.

(3) Where there are more sellers than one, the time shall be computed from the execution of the instrument by the last seller who executed it. R.S.O. 1960, c. 34, s. 21 (3, 4, 7), *amended*. Computation of time for registration

10.—(1) Where a bill of sale is not registered within the time prescribed by this Act, a judge of a county or district court on application may, upon such terms and conditions and with such notice, if any, as he may order, extend the time for registration upon being satisfied that no interest of any other person will be prejudiced by such extension, but, in the event that it later appears that the late registration has prejudiced the rights that any person acquired before the late registration, the late registration shall be presumed not to have been done in conformity with this Act, and the rights that such person acquired before the late registration shall be determined on that basis. R.S.O. 1960, c. 34, s. 10, *amended*. Extension of time

(2) A copy of an order made under subsection 1 shall for the purpose of registration be attached to the bill of sale to which the order relates. *New*. Idem

11. A bill of sale shall not be registered unless, in addition to the other requirements of this Act, it contains and legibly sets forth at least, Contents of bill of sale for registration

- (a) the full name and address of the seller;
- (b) the full name and address of the buyer;
- (c) the date of execution of the bill of sale;
- (d) a description of the goods sold sufficient to identify them; and
- (e) the terms and conditions of the bill of sale. *New*.

12.—(1) An affidavit of *bona fides* required by section 3 may be made by one of two or more buyers or by his or their agent if the deponent is aware of all the circumstances connected with the bill of sale and is authorized in writing to take the bill of sale. Who may make affidavits of bona fides

(2) If a bill of sale under this Act is made to a corporation, the affidavit of *bona fides* may be made by any officer or agent thereof authorized to do so by resolution of the directors. In the case of a corporation

(3) Where an affidavit of *bona fides* is made by an agent of the buyer or by an officer or agent of a corporation, it shall state that the deponent is aware of all the circumstances Affidavits made by agents or officers

connected with the bill of sale and has personal knowledge of the facts deposed to.

Branch
managers,
etc., may
make affi-
davit of
bona fides

(4) When a bill of sale is made to a corporation having branches, agencies or offices opened pursuant to statutory authority, the affidavit of *bona fides* may be made by the manager, assistant manager or accountant of any such branch, agency or office without being authorized so to do by resolution of the directors, and the affidavit shall state that the deponent is aware of all the circumstances connected with the bill of sale and has personal knowledge of the facts deposed to. R.S.O. 1960, c. 34, s. 15 (1-4), *amended*.

Agent's
authority
to be
attached
to bill
of sale

(5) A copy of an authority referred to in this section shall, for the purposes of registration, be attached to the bill of sale to which the authority relates. R.S.O. 1960, c. 34, s. 16, *amended*.

Affidavit of
executor,
etc.

(6) An affidavit of *bona fides* may, in the case of the death of the buyer, be made by any of his next of kin or by his executor or administrator if the deponent is aware of all the circumstances connected with the bill of sale. R.S.O. 1960, c. 34, s. 17, *amended*.

Expiry of
existing
registrations
R.S.O. 1960,
c. 34

13.—(1) The registration of every bill of sale made under *The Bills of Sale and Chattel Mortgages Act* before the day on which this section comes into force expires on the third anniversary date of the original registration after that day unless a renewal statement in the prescribed form containing the particulars mentioned in section 11 is registered before such anniversary date.

Idem,
future
registrations

(2) Every registration made under this Act expires three years after the date of registration, unless a renewal statement in the prescribed form is registered before the three-year period expires.

Effect of
registration
of renewal
statement

(3) The registration of a renewal statement extends the effect of the original registration for three years from the date of registration of the renewal statement, and so on from time to time.

Extension
of time

(4) Where a renewal statement is not registered within the time prescribed by this section, a judge of a county or district court on application may, upon such terms and conditions and with such notice, if any, as he may order, extend the time for registration upon being satisfied that no interest of any other person will be prejudiced by such extension, but, in the event that it later appears that any such registration within

the period so extended has prejudiced the rights that any person acquired before the registration, such registration shall be presumed not to have been done in conformity with this Act for the purpose of determining the rights that such person acquired before the registration.

(5) A copy of an order made under subsection 4 shall for ^{Idem} the purposes of registration be attached to the renewal statement to which the order relates. *New.*

14.—(1) Upon the request of any person, the clerk shall ^{Certified copies} furnish a copy of any document registered in his office under this Act, and of any endorsement thereon, certified under his hand and the seal of the court. *New.*

(2) A copy of any document and of any endorsement there- ^{Proof of registration} on certified under subsection 1 is *prima facie* evidence that the document was registered according to the endorsement thereon. R.S.O. 1960, c. 34, s. 31, *amended.*

15. The clerk shall make an entry of every bill of sale ^{Index} and renewal statement registered in his office under this Act in an index to be kept for that purpose. *New.*

16. During the regular office hours of the clerk, any person ^{Inspection of index} may require a search to be made of the index of documents registered under this Act and may inspect any document registered under this Act. R.S.O. 1960, c. 34, s. 34 (1, 3), *amended.*

17. The clerk is entitled for services under this Act to ^{Fees} the fees prescribed by the regulations made under this Act. R.S.O. 1960, c. 34, s. 35, *amended.*

18. The Lieutenant Governor in Council may make regula- ^{Regulations} tions,

- (a) requiring the payment of fees and prescribing the amounts thereof;
 - (b) prescribing forms and providing for their use;
 - (c) respecting any matter necessary or advisable to carry out effectively the intent and purpose of this Act.
- New.*

19. The Lieutenant Governor in Council may make regu- ^{Fees during transitional period} lations requiring the payment of fees and prescribing the amounts thereof for services under *The Bills of Sale and Chattel Mortgages Act* in connection with bills of sale. *New.* R.S.O. 1960, c. 34

Commence-
ment

20.—(1) This Act, except section 19, comes into force on a day to be named by the Lieutenant Governor by his proclamation.

Idem

1967, c. 8

(2) Section 19 comes into force on the day upon which section 2 of *The Bills of Sale and Chattel Mortgages Amendment and Repeal Act, 1967* is proclaimed in force.

Short title

21. This Act may be cited as *The Bills of Sale Act, 1967*.

CHAPTER 8

**An Act to amend and to repeal
The Bills of Sale and Chattel Mortgages Act**

*Assented to June 15th, 1967
Session Prorogued June 15th, 1967*

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Section 13 of *The Bills of Sale and Chattel Mortgages Act* R.S.O. 1960, c. 34, s. 13, re-enacted is repealed and the following substituted therefor:

13. Every mortgage, conveyance, agreement or renewal Contents of documents required to be registered statement required to be registered under this Act on or after the 1st day of January, 1968, shall, in addition to the other requirements of this Act, contain and legibly set forth at least,

- (a) the full name and address of the mortgagor or bargainor;
- (b) the full name and address of the mortgagee or bargainee and of his assignee, if any;
- (c) the date of execution of the mortgage, conveyance or agreement;
- (d) a description of the goods and chattels mortgaged or sold sufficient to identify them; and
- (e) the terms and conditions of the mortgage, conveyance or agreement.

2. Section 35 of *The Bills of Sale and Chattel Mortgages Act* R.S.O. 1960, c. 34, s. 35, re-enacted is repealed and the following substituted therefor:

35. The clerk is entitled for services under this Act in Fees connection with chattel mortgages to the fees prescribed by the regulations made under *The Personal* 1967, c. 73 *Property Security Act, 1967.*

R.S.O. 1960,
c. 34,
amended

3. *The Bills of Sale and Chattel Mortgages Act* is amended by adding thereto the following section:

Renewals
are for
3 years
after
Jan. 1, 1971

36. Notwithstanding anything in this Act, the registration of a chattel mortgage or a renewal statement registered under this Act on or after the 1st day of January, 1971, has effect for three years after the date of the registration instead of one year as provided by section 24.

R.S.O. 1960,
c. 34;
1960-61,
c. 6;
1966, c. 13;
1967, c. 8,
ss. 1, 2,
repealed

4. *The Bills of Sale and Chattel Mortgages Act, The Bills of Sale and Chattel Mortgages Amendment Act, 1960-61, The Bills of Sale and Chattel Mortgages Amendment Act, 1966* and sections 1 and 2 of this Act are repealed and, when repealed, any reference in any Act or regulation to *The Bills of Sale and Chattel Mortgages Act* as it applies to chattel mortgages shall be deemed to be a reference to *The Personal Property Security Act, 1967* and as it applies to bills of sale shall be deemed to be a reference to *The Bills of Sale Act, 1967*.

1967,
cc. 73, 7

Commence-
ment

5.—(1) This Act, except sections 2, 3 and 4, comes into force on the 1st day of January, 1968.

Idem

(2) Sections 2 and 4 come into force on a day to be named by the Lieutenant Governor by his proclamation.

Idem

(3) Section 3 comes into force on the 1st day of January, 1971.

Short title

6. This Act may be cited as *The Bills of Sale and Chattel Mortgages Amendment and Repeal Act, 1967*.

CHAPTER 9

An Act to amend The Cancer Act

*Assented to March 22nd, 1967
Session Prorogued June 15th, 1967*

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Section 19 of *The Cancer Act* is repealed and the following substituted therefor: R.S.O. 1960, c. 45, s. 19, re-enacted

19. Subject to the approval of the Lieutenant Governor in Council, the Institute may appoint an advisory medical board consisting of duly qualified medical practitioners, scientists and other persons. Advisory medical board

2. This Act comes into force on the day it receives Royal Assent. Commencement

3. This Act may be cited as *The Cancer Amendment Act, 1967*. Short title

CHAPTER 10

**An Act to amend
The Commuter Services Act, 1965**

*Assented to March 22nd, 1967
Session Prorogued June 15th, 1967*

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. *The Commuter Services Act, 1965* is amended by adding ^{1965, c. 17,} thereto the following section: amended

4a.—(1) The Lieutenant Governor in Council may make Regulations regulations,

- (a) prohibiting or regulating the use of any land or any interest in land acquired under subsection 1 of section 4 and prohibiting or regulating vehicular traffic and pedestrian traffic on any such land or interest in land;
- (b) requiring and providing for the issue of permits and licences and providing for the granting of rights in respect of the use of any such land or interest in land, and providing for the revocation of any such permit, licence or right;
- (c) prescribing the fees or rentals payable for any permit, licence or right issued or granted in respect of any such land or interest in land;
- (d) prescribing fares that shall be charged and collected for any service;
- (e) imposing fines of not more than \$100, exclusive of costs, upon every person who contravenes any provision of a regulation made under this section;
- (f) providing a procedure for the voluntary payment of fines out of court in cases where it is alleged that the parking provisions of a regu-

lation

lation made under this section have been contravened, and, if payment is not made in accordance with the procedure, subsection 2 applies.

Offence

- (2) Every person who contravenes any provision of a regulation made under subsection 1 is guilty of an offence, and the fines imposed by a regulation made under subsection 1 are recoverable under *The Summary Convictions Act* and are payable to the Treasurer of Ontario.

R.S.O. 1960,
c. 387

Motor
vehicle
owner and
driver
liable to
penalties

- (3) The owner of a motor vehicle shall incur the fines imposed for any contravention of a regulation made under subsection 1 prohibiting or regulating the parking of motor vehicles unless at the time of the contravention the motor vehicle was in the possession of some person other than the owner or his chauffeur without the owner's consent, and the driver of the motor vehicle not being the owner shall also incur the fines imposed for any such contravention.

Appoint-
ment of
officers
to carry out
regulations

- (4) The Minister may appoint one or more Crown employees as an officer or officers for the purpose of carrying out all or any of the provisions of the regulations made under subsection 1, and any person so appointed is a constable for such purpose and for the purposes of sections 14 and 17 of *The Highway Traffic Act*.

R.S.O. 1960,
c. 172

Certificate
of appoint-
ment

- (5) A person appointed under subsection 4 shall, while carrying out his duties under the appointment, have in his possession a certificate of his appointment under subsection 4 and shall produce such certificate upon request.

Commence-
ment

2. This Act comes into force on the day it receives Royal Assent.

Short title

3. This Act may be cited as *The Commuter Services Amendment Act, 1967*.

CHAPTER 11

**An Act to amend and to repeal
The Conditional Sales Act**

*Assented to June 15th, 1967
Session Prorogued June 15th, 1967*

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Clause *a* of subsection 1 of section 2 of *The Conditional Sales Act* is repealed and the following substituted therefor: R.S.O. 1960, c. 61, s. 2, subs. 1, cl. *a*, re-enacted

(*a*) in the case of registration on or after the 1st day of January, 1968, the contract is evidenced by a writing signed by the purchaser or his agent and containing and legibly setting forth at least, the contract is in writing

- (i) the full name and address of the purchaser,
- (ii) the full name and address of the seller and of his assignee, if any,
- (iii) the date of execution of the contract,
- (iv) a description of the goods sold sufficient to identify them, and
- (v) the terms and conditions of the contract; and

.

2. Subsection 1 of section 5 of *The Conditional Sales Act* is repealed and the following substituted therefor: R.S.O. 1960, c. 61, s. 5, subs. 1, re-enacted

(1) Every contract of which a copy has been registered under this Act ceases to be valid as against the creditors of the purchaser and as against subsequent purchasers claiming from or under such purchaser, without notice, in good faith and for valuable consideration, at the expiration of three years from the day of the registration of such copy unless, within Renewal statement to be filed

thirty

thirty days next preceding the expiration of three years from the day of the registration of such copy, a renewal statement (Form 5) has been registered in the same office in which the original copy of the contract was registered containing and legibly setting forth at least,

- (a) the full name and address of the purchaser;
- (b) the full name and address of the seller and of his assignee, if any;
- (c) the registration number of the original copy of the contract and the name of the office in which the copy was registered;
- (d) a description of the goods sold sufficient to identify them; and
- (e) the amount of the contract price and an itemized statement of all payments, if any, made on account thereof, and the unpaid balance.

R.S.O. 1960,
c. 61, s. 6,
re-enacted

3. Section 6 of *The Conditional Sales Act* is repealed and the following substituted therefor:

Index
book

6.—(1) The clerk of a county or district court shall make a record of every contract or renewal statement of which a copy is registered in his office under this Act in an index book to be kept for that purpose.

Fees

(2) The clerk is entitled for services under this Act to the fees prescribed by the regulations made under *The Personal Property Security Act, 1967*.

1967, c. 73

R.S.O. 1960,
c. 61;
1962-63,
c. 18;
1966, c. 20;
1967, c. 11,
ss. 1-3,
repealed

4. *The Conditional Sales Act, The Conditional Sales Amendment Act, 1962-63 and The Conditional Sales Amendment Act, 1966* and sections 1, 2 and 3 of this Act are repealed and, when repealed, any reference in any Act or regulation to *The Conditional Sales Act* shall be deemed to be a reference to *The Personal Property Security Act, 1967*.

1967, c. 73

Commence-
ment

5.—(1) This Act, except sections 3 and 4, comes into force on the 1st day of January, 1968.

Idem

(2) Sections 3 and 4 come into force on a day to be named by the Lieutenant Governor by his proclamation.

Short title

6. This Act may be cited as *The Conditional Sales Amendment and Repeal Act, 1967*.

CHAPTER 12

**An Act to facilitate the Division of Properties
into Parts that are to be owned Individually
and Parts that are to be owned in Common,
and to provide for the Use and Management
of such Properties**

*Assented to June 15th, 1967
Session Prorogued June 15th, 1967*

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) In this Act,

Interpre-
tation

- (a) “board” means the board of directors of a corporation;
- (b) “buildings” means the buildings included in a property;
- (c) “by-law” means a by-law of a corporation;
- (d) “claim” includes a right, title, interest, encumbrance or demand of any kind affecting land, but does not include the interest of an owner in his unit and common interest;
- (e) “common elements” means all the property except the units;
- (f) “common expenses” means the expenses of the performance of the objects and duties of a corporation and any expenses specified as common expenses in a declaration;
- (g) “common interest” means the interest in the common elements appurtenant to a unit;
- (h) “corporation” means a corporation incorporated by this Act;

(i)

R.S.O. 1960,
c. 204

- (i) "declaration" means the declaration specified in section 3, and includes any amendments;
- (j) "description" means the description specified in section 4;
- (k) "encumbrance" means a claim that secures the payment of money or the performance of any other obligation, and includes a charge under *The Land Titles Act*, a mortgage and a lien;
- (l) "owner" means the owner or owners of the freehold estate or estates in a unit and common interest, but does not include a mortgagee unless in possession;
- (m) "prescribed" means prescribed by the regulations;
- (n) "property" means the land and interests appurtenant to the land described in the description, and includes any land and interests appurtenant to land that are added to the common elements;

R.S.O. 1960,
cc. 204, 348

- (o) "registered" means registered under *The Land Titles Act* or *The Registry Act*;
- (p) "regulations" means the regulations made under this Act;

R.S.O. 1960,
c. 389

- (q) "surveyor" means an Ontario land surveyor registered under *The Surveyors Act*;
- (r) "unit" means a part or parts of the land included in the description and designated as a unit by the description, and comprises the space enclosed by its boundaries and all the material parts of the land within this space at the time the declaration and description are registered.

Ownership
of land

- (2) For the purposes of this Act, the ownership of land includes the ownership of space.

DECLARATION AND DESCRIPTION

Freehold
land only

- 2.—(1)** A property shall comprise only freehold land and interests, if any, appurtenant to that land.

Who may
register

- (2) A declaration and description may be registered by or on behalf of the owner in fee simple of the land described in the description.

Land must
be in one
division

- (3) Where the land and the interests appurtenant to the land described in the description are not entirely within one land titles or registry division or not entirely under *The Land Titles Act* or *The Registry Act*, the description shall not be registered.

(4) Where the land described in a description is situate in a provisional judicial district or in a county, part of a county, city or separated town to which *The Land Titles Act* applies, the declaration and description must be registered under that Act. Where land in land titles area R.S.O. 1960, c. 204

(5) Where the land described in a description is situate in a county, part of a county, city or separated town to which *The Land Titles Act* does not apply, a certificate of title under *The Certification of Titles Act* showing the owner by whom the declaration and description are being registered as the owner in fee simple of the land shall be registered under *The Registry Act* before the declaration and description are registered. Where land not in land titles area R.S.O. 1960, cc. 204, 48, 348

(6) Upon registration of a declaration and description, the land and the interests appurtenant to the land described in the description are governed by this Act. Effect of registration

3.—(1) A declaration shall not be registered unless it is executed by the owner or owners of the land and interests appurtenant to the land described in the description and unless it contains, What declaration must contain

- (a) a statement of intention that the land and interests appurtenant to the land described in the description be governed by this Act;
- (b) the consent of all persons having registered encumbrances against the land or interests appurtenant to the land described in the description;
- (c) a statement, expressed in percentages, of the proportions of the common interests;
- (d) a statement, expressed in percentages allocated to the units, of the proportions in which the owners are to contribute to the common expenses; and
- (e) an address for service.

(2) In addition to the matters mentioned in subsection 1, a declaration may contain, What declaration may contain

- (a) a specification of common expenses;
- (b) a specification of any parts of the common elements that are to be used by the owners of one or more designated units and not by all the owners;
- (c) provisions respecting the occupation and use of the units and common elements;
- (d) provisions restricting gifts, leases and sales of the units and common interests;

(e)

- (*e*) a specification of the number, qualification, nomination, election, term of office, compensation and removal of members of the board, and the meetings, quorum, functions and officers of the board;
- (*f*) a specification of duties of the corporation consistent with its objects;
- (*g*) a specification of the majority required to make by-laws of the corporation;
- (*h*) provisions regulating the assessment and collection of contributions towards the common expenses;
- (*i*) a specification of the majority required to make substantial changes in the common elements and the assets of the corporation;
- (*j*) a specification of any provision requiring the corporation to purchase the units and common interests of any dissenters after a substantial addition, alteration or improvement to or renovation of the common elements has been made or after the assets of the corporation have been substantially changed;
- (*k*) a specification of any allocation of the obligations to repair and to maintain the units and common elements;
- (*l*) a specification of the percentage of substantial damage to the buildings and a specification of the majority required to authorize repairs under section 17;
- (*m*) a specification of the majority required for a sale of the property or of part of the common elements;
- (*n*) a specification of the majority required for the termination of the government of the property by this Act;
- (*o*) any other matters concerning the property.

Amendment
of
declaration

(3) The declaration may be amended only with the consent of all owners and all persons having registered encumbrances against the units and common interests.

Registration

(4) When a declaration is amended, the corporation shall register a copy of the amendment executed by all the owners and all persons having registered encumbrances against the units and common interests, and until the copy is registered the amendment is ineffective.

4.—(1) A description shall contain,

What
description
must
contain

- (a) a plan of survey showing the perimeter of the horizontal surface of the land and the perimeter of the buildings;
- (b) structural plans of the buildings;
- (c) a specification of the boundaries of each unit by reference to the buildings;
- (d) diagrams showing the shape and dimensions of each unit and the approximate location of each unit in relation to the other units and the buildings;
- (e) a certificate of a surveyor that the buildings have been constructed and that the diagrams of the units are substantially accurate and substantially in accordance with the structural plans; and
- (f) a description of any interests appurtenant to the land that are included in the property,

prepared in accordance with the regulations.

(2) A description shall not be registered unless it has been approved in accordance with the regulations.

Approval of
description

REGISTRATION

5.—(1) Every master of titles and every registrar of deeds in whose office a declaration and description are registered shall keep an index in the prescribed form to be known as the "Condominium Corporations Index".

Index

(2) Where a land titles office is combined with a registry office, one index under subsection 1 shall be kept for all declarations and descriptions registered in the combined offices.

Combined
offices

(3) Every master of titles and every registrar of deeds in whose office a declaration and description are registered shall keep a register in the prescribed form to be known as the "Condominium Register".

Condomin-
ium
Register

(4) Declarations, descriptions, by-laws, notices of termination and other instruments respecting land governed by this Act shall be registered and recorded in the Condominium Register in accordance with this Act and the regulations but, except as otherwise provided by this Act and the regulations, *The Land Titles Act* or *The Registry Act*, as the case may be, applies in respect of property governed by this Act.

This Act to
govern
registrations,
etc.

R.S.O. 1960,
cc. 204, 348

UNITS AND COMMON ELEMENTS

Nature
of units and
common
interests

6.—(1) Units and common interests are real property for all purposes.

Ownership
of units

(2) Subject to this Act, the declaration and the by-laws, each owner is entitled to exclusive ownership and use of his unit.

Dangerous
activities

(3) No condition shall be permitted to exist and no activity shall be carried on in any unit or the common elements that are likely to damage the property.

Right to
enter

(4) The corporation or any person authorized by the corporation may enter any unit at any reasonable time to perform the objects and duties of the corporation.

Ownership
of common
elements

7.—(1) The owners are tenants in common of the common elements.

Common
interests

(2) An undivided interest in the common elements is appurtenant to each unit.

Proportions

(3) The proportions of the common interests are those expressed in the declaration.

Use of
common
elements

(4) Subject to this Act, the declaration and the by-laws, each owner may make reasonable use of the common elements.

Ownership
not to be
separated

(5) The ownership of a unit shall not be separated from the ownership of the common interest, and any instrument that purports to separate the ownership of a unit from a common interest is void.

No division

(6) Except as provided by this Act, the common elements shall not be partitioned or divided.

Encum-
brances not
enforceable

(7) No encumbrance is enforceable against the common elements after the declaration and description are registered.

Saving

(8) Where but for subsection 7 an encumbrance would be enforceable against the common elements, the encumbrance is enforceable against all the units and common interests.

Discharge

(9) Any unit and common interest may be discharged from such an encumbrance by payment to the claimant of a portion of the sum claimed determined by the proportions specified in the declaration for sharing the common expenses.

Idem

(10) Upon payment of a portion of the encumbrance sufficient to discharge a unit and common interest, and upon

demand

demand, the claimant shall give to the owner a discharge of that unit and common interest in accordance with the regulations.

(11) For the purposes of municipal assessment and taxation, ^{Assessment} each unit and common interest constitute a parcel, and the common elements do not constitute a parcel.

(12) For the purpose of determining liability resulting from ^{Where} breach of the duties of an occupier of land, the corporation ^{corporation} shall be deemed to be the occupier of the common elements ^{deemed to be occupier} and the owners shall be deemed not to be occupiers of the common elements.

EASEMENTS

8.—(1) The following easements are appurtenant to each ^{Easements} unit: ^{appurtenant to units}

1. Where a building or any part of a building,
 - (a) moves after registration of the declaration and description; or
 - (b) after having been damaged and repaired, is not restored to the position occupied at the time of registration of the declaration and description,

an easement for exclusive use and occupation in accordance with this Act, the declaration and the by-laws, over the space of the other units and common elements that would be space included in the unit if the boundaries of the unit were determined by the position of the buildings from time to time after registration of the description and not at the time of registration.

2. An easement for the provision of any service through any installation in the common elements or any other unit.
3. An easement for support by the common elements and any other unit capable of providing support.

(2) The following easements are appurtenant to the com- ^{Easements} mon elements: ^{appurtenant to common elements}

1. An easement for the provision of any service through any installation in any unit.
2. An easement for support by any unit capable of providing support.

CORPORATION

- Creation** **9.**—(1) The registration of a declaration and description creates a corporation without share capital whose members are the owners from time to time.
- Name of corporation** (2) When a declaration and description are registered, the master of titles or registrar of deeds in whose office they are registered shall assign a name to the corporation in accordance with the regulations.
- R.S.O. 1960, cc. 71, 72, 246 do not apply** (3) *The Corporations Act, The Corporations Information Act* and the provisions respecting mortmain of *The Mortmain and Charitable Uses Act* do not apply to the corporation.
- Objects** (4) The objects of the corporation are to manage the property and any assets of the corporation.
- Board of directors** (5) The affairs of the corporation shall be managed by a board of directors, consisting of three persons or such greater number as the declaration or by-laws may provide, elected by the members of the corporation.
- Term** (6) The term of the members of the board shall be three years or such lesser period as the declaration or by-laws may provide, but the members of the board may continue to act until their successors are elected, and members are eligible for re-election.
- Vacancies** (7) If a vacancy in the membership of the board occurs, a new member shall be elected by the members of the corporation.
- Quorum** (8) A quorum for the transaction of business is a majority of the members of the board or such greater number as the declaration or by-laws may provide.
- Defects** (9) The acts of a member of the board or an officer of the board are valid notwithstanding any defect that may afterwards be discovered in his election or qualifications.
- Officers and executive** (10) The declaration or the by-laws may specify and regulate the qualification, nomination, election, compensation and removal of members of the board, and the meetings, functions and officers of the board.
- Records** (11) The corporation shall keep adequate records, and any member of the corporation may inspect the records on reasonable notice and at any reasonable time.
- Duty to effect compliance** (12) The corporation has a duty to effect compliance by the owners with this Act, the declaration and the by-laws.

(13) The declaration or the by-laws may specify duties of ^{Duties} the corporation consistent with its objects.

(14) Each member of the corporation, and each person ^{Right to performance of duties} having an encumbrance against a unit and common interest, has the right to the performance of any duty of the corporation specified by this Act, the declaration and the by-laws.

(15) The corporation may own, acquire, encumber and ^{Real and personal property} dispose of real and personal property for the use and enjoyment of the property.

(16) The members of the corporation share the assets of ^{Interest in assets} the corporation in the same proportions as the proportions of their common interests in accordance with this Act, the declaration and the by-laws.

(17) A judgment for the payment of money against the ^{Judgments against corporation} corporation is also a judgment against each owner at the time the cause of action arose for a portion of the judgment determined by the proportions specified in the declaration for sharing the common expenses.

(18) Any action with respect to the common elements may ^{Actions by corporation respecting common elements} be brought by the corporation and a judgment for the payment of money in favour of the corporation in such an action is an asset of the corporation.

(19) When the owners and the property cease to be ^{Termination} governed by this Act,

- (a) the assets of the corporation shall be used to pay any claims for the payment of money against the corporation;
- (b) the remainder of the assets of the corporation shall be distributed among the members of the corporation in the same proportions as the proportions of their common interests.

BY-LAWS

10.—(1) The corporation may, by a vote of members who ^{By-laws} own $66\frac{2}{3}$ per cent, or such greater percentage as is specified in the declaration, of the common elements, make by-laws,

(a)

- (a) governing the management of the property;
- (b) governing the use of units or any of them for the purpose of preventing unreasonable interference with the use and enjoyment of the common elements and other units;
- (c) governing the use of the common elements;
- (d) regulating the maintenance of the units and common elements;
- (e) governing the use and management of the assets of the corporation;
- (f) respecting the board;
- (g) specifying duties of the corporation;
- (h) regulating the assessment and collection of contributions towards the common expenses;
- (i) respecting the conduct generally of the affairs of the corporation.

By-laws
must be
reasonable

(2) The by-laws shall be reasonable and consistent with this Act and the declaration.

Registration

(3) When a by-law is made by the corporation, the corporation shall register a copy of the by-law together with a certificate executed by the corporation that the by-law was made in accordance with this Act, the declaration and the by-laws, and until the copy and certificate are registered the by-law is ineffective.

RULES GOVERNING USE OF COMMON ELEMENTS

House
rules

11.—(1) The by-laws may provide for the making of rules by the owners respecting the use of the common elements for the purpose of preventing unreasonable interference with the use and enjoyment of the units and common elements.

Idem

(2) The rules shall be reasonable and consistent with this Act, the declaration and the by-laws.

Compliance
and
enforcement

(3) The rules shall be complied with and enforced in the same manner as the by-laws.

OBLIGATIONS OF OWNERS

Obligations
and rights
of owners,
etc.

12.—(1) Each owner is bound by and shall comply with this Act, the declaration and the by-laws.

(2) Each owner has a right to the compliance by the other ^{Idem} owners with this Act, the declaration and the by-laws.

(3) The corporation, and any person having an encumbrance against any unit and common interest, has a right to the compliance by the owners with this Act, the declaration and the by-laws. ^{Right of corporation and encumbrancers}

13.—(1) The owners shall contribute towards the common expenses in the proportions specified in the declaration. ^{Duty of owners to contribute to common expenses}

(2) The assessment and collection of contributions towards the common expenses may be regulated by the declaration or the by-laws. ^{Assessment and collection}

(3) The obligation of an owner to contribute towards the common expenses shall not be avoided by waiver of the right to use the common elements or by abandonment. ^{No avoidance}

(4) Where an owner defaults in his obligation to contribute to the corporation towards the common expenses, the corporation, upon registration of a notice of lien in the prescribed form, has a lien for the unpaid amount against the unit and common interest of that owner. ^{Lien}

(5) The lien may be enforced in the same manner as a mortgage. ^{How enforceable}

(6) Upon payment of the unpaid amount and upon demand, the corporation shall give the owner a discharge in the prescribed form. ^{Discharge}

MODIFICATIONS OF COMMON ELEMENTS AND ASSETS

14.—(1) The corporation may by a vote of members who own 80 per cent, or such greater percentage as is specified in the declaration, of the common elements make any substantial addition, alteration or improvement to or renovation of the common elements or may make any substantial change in the assets of the corporation, and the corporation may by a vote of a majority of the members make any other addition, alteration or improvement to or renovation of the common elements or may make any other change in the assets of the corporation. ^{Substantial alterations}

(2) The cost of any addition, alteration or improvement to or renovation of the common elements and the cost of any substantial change in the assets of the corporation are common expenses. ^{Cost}

Dissenters (3) The declaration may provide that if any substantial addition, alteration or improvement to or renovation of the common elements is made, or if any substantial change in the assets of the corporation is made, the corporation must, on demand of any owner who dissented, purchase his unit and common interest.

Arbitration (4) Where the corporation and the owner who dissented do not agree as to the purchase price, the owner who dissented may elect to have the fair market value of his unit and common interest determined by arbitration under *The Arbitrations Act* by serving a notice to that effect on the corporation.

R.S.O. 1960,
c. 18

INSURANCE

Duty to insure **15.**—(1) A corporation shall insure its liability to repair the property after damage resulting from fire, tempest or other casualty to the extent required by the declaration or the by-laws.

Saving (2) Subsection 1 does not restrict the capacity of any person to insure otherwise than as provided in that subsection.

REPAIRS AND MAINTENANCE

Interpretation **16.**—(1) For the purposes of this Act, the obligation to repair after damage and to maintain are mutually exclusive, and the obligation to repair after damage does not include the repair of improvements made to units after registration of the declaration and description.

Duty to repair (2) Subject to section 17, the corporation shall repair the units and common elements after damage.

Maintenance of common elements (3) The corporation shall maintain the common elements.

Maintenance of units (4) Each owner shall maintain his unit.

Declaration may provide otherwise (5) Notwithstanding subsections 2, 3 and 4, the declaration may provide that,

(a) each owner shall, subject to section 17, repair his unit after damage;

(b) the owners shall maintain the common elements or any part of the common elements; or

(c) the corporation shall maintain the units.

Where corporation to make repairs for owners (6) The corporation shall make any repairs that an owner is obligated to make and that he does not make within a reasonable time.

(7) An owner shall be deemed to have consented to have repairs done to his unit by the corporation under this section.

WHERE DAMAGE OCCURS

17.—(1) Where damage to the buildings occurs, the board shall determine within thirty days of the occurrence whether there has been substantial damage to 25 per cent, or such greater percentage as is specified in the declaration, of the buildings. ^{Determination of damage}

(2) Where there has been a determination that there has been substantial damage to 25 per cent, or such greater percentage as is specified in the declaration, and owners who own 80 per cent of the common elements, or such greater percentage as is specified in the declaration, vote for repair within sixty days of the determination, the corporation shall repair. ^{Vote for repair}

TERMINATION

18.—(1) Where on a vote the owners do not vote for repair, the corporation shall, within ten days of the vote, register a notice of termination in the prescribed form. ^{Termination by notice after substantial damage}

(2) Where there has been no vote within sixty days of the determination that there has been substantial damage under subsection 1 of section 17, the corporation shall, within ten days after the expiry of the 60-day period, register a notice of termination in the prescribed form. ^{Idem}

(3) Upon the registration of a notice of termination under subsection 1 or 2, ^{Effect of registration of notice}

- (a) the government of the property by this Act is terminated;
- (b) the owners are tenants in common of the land and interests appurtenant to the land described in the description in the same proportions as their common interests;
- (c) claims against the land and interests appurtenant to the land created before the registration of the declaration and description are as effective as if the declaration and description had not been registered;
- (d) encumbrances against each unit and common interest created after the registration of the declaration and description are claims against the interest of the owner in the land and interests appurtenant to the land described in the description, and have the same priority they had before the registration of the notice of termination; and

(e)

- (e) all claims against the property created after the registration of the declaration and description, other than the encumbrances mentioned in clause *d*, are extinguished.

Termination
by sale

19.—(1) Sale of the property or any part of the common elements may be authorized,

- (a) by a vote of owners who own 80 per cent, or such greater percentage as is specified in the declaration, of the common elements; and
- (b) by the consent of the persons having registered claims against the property or the part of the common elements, as the case may be, created after the registration of the declaration and description.

Execution
of con-
veyance

(2) A deed or transfer shall be executed by all the owners and a release or discharge shall be given by all the persons having registered claims against the property or the part of the common elements, as the case may be, created after the registration of the declaration and description.

Effect of
registra-
tion of
conveyance

(3) Upon the registration of the instruments mentioned in subsection 2,

- (a) the government of the property or of the part of the common elements by this Act is terminated;
- (b) claims against the land and interests appurtenant to the land created before the registration of the declaration and description are as effective as if the declaration and description had not been registered; and
- (c) claims against the property or the part of the common elements created after the registration of the declaration and description are extinguished.

Proceeds

(4) Subject to subsection 5, the owners share the proceeds of the sale in the same proportions as their common interests.

Rights of
dissenters

(5) Where a sale is made under this section, any owner who dissented may elect to have the fair market value of the property at the time of the sale determined by arbitration under *The Arbitrations Act* by serving notice to that effect on the corporation within ten days after the vote, and the owner who served the notice is entitled to receive from the proceeds of the sale the amount he would have received if the sale price had been the fair market value as determined by the arbitration.

R.S.O. 1960,
c. 18

(6) Where the proceeds of the sale are inadequate to pay the amount determined under subsection 5, each of the owners who voted for the sale is liable for a portion of the deficiency determined by the proportions of their common interests.

20.—(1) Termination of the government of the property by this Act may be authorized, ^{Termination by notice without sale}

- (a) by a vote of owners who own 80 per cent, or such greater percentage as is specified in the declaration, of the common elements; and
- (b) by the consent of the persons having registered claims against the property created after the registration of the declaration and description.

(2) Where termination of the government of the property by this Act is authorized under subsection 1, the corporation shall register a notice of termination in the prescribed form, executed by all the owners and all the persons having registered claims against the property created after the registration of the declaration and description. ^{Registration of notice}

(3) Upon registration of a notice of termination under subsection 2, ^{Effect of registration}

- (a) the government of the property by this Act is terminated;
- (b) the owners are tenants in common of the land and interests appurtenant to the land described in the description in the same proportions as their common interests;
- (c) claims against the land and the interests appurtenant to the land described in the description created before the registration of the declaration and description are as effective as if the declaration and description had not been registered;
- (d) encumbrances against each unit and common interest created after the registration of the declaration and description are claims against the interest of the owner in the land and interests appurtenant to the land described in the description and have the same priority as they had before the registration of the notice of termination; and
- (e) all other claims against the property created after the registration of the declaration and description are extinguished.

Termination
by S.C.O.

21.—(1) A corporation, any owner, or any person having an encumbrance against a unit and common interest may apply to the Supreme Court for an order terminating the government of the property by this Act.

Order

(2) The Court may order that the government of the property by this Act be terminated if the Court is of the opinion that the termination would be just and equitable, and, in determining whether the termination would be just and equitable, the Court shall have regard to,

- (a) the scheme and intent of this Act;
- (b) the probability of unfairness to one or more owners if termination is not ordered; and
- (c) the probability of confusion and uncertainty in the affairs of the corporation or the owners if termination is not ordered.

Ancillary
matters

(3) Where an order of termination is made under subsection 2, the Court may include in the order any provisions that the Court considers appropriate in the circumstances.

VOTING BY MORTGAGEES

Rights of
mortgagees

22. Where a mortgage or charge of a unit and common interest contains a provision that authorizes the mortgagee or chargee to exercise the right of the owner to vote or to consent, the mortgagee or chargee may exercise the right, and, where two or more such mortgages or charges contain such a provision, the right may be exercised by the mortgagee or chargee who has priority.

PERFORMANCE OF DUTIES

Application
for order to
require
performance
of duties

23.—(1) Where a duty imposed by this Act, the declaration or the by-laws is not performed, the corporation, any owner, or any person having an encumbrance against a unit and common interest may apply to the Supreme Court for an order directing the performance of the duty.

Idem

(2) The Court may by order direct performance of the duty, and may include in the order any provisions that the Court considers appropriate in the circumstances.

Saving

(3) Nothing in this section restricts the remedies otherwise available for failure to perform any duty imposed by this Act.

APPLICATION OF THE PLANNING ACT

24.—(1) Section 26 and clause *b* of subsection 1 of section 27 of *The Planning Act* do not apply in respect of dealings with units and common interests.

Application of sub-division control
R.S.O. 1960, c. 296

(2) Subject to subsection 3, the provisions of section 28 of *The Planning Act* that apply to plans of subdivision apply *mutatis mutandis* to descriptions under this Act, and a description shall not be registered unless approved or exempted by the Minister of Municipal Affairs.

Approval of descriptions under
R.S.O. 1960, c. 296, s. 28

(3) Before making an application under subsection 1 of section 28 of *The Planning Act*, the owner of a property or someone authorized by him in writing may apply to the Minister to have the description or any part of the description exempted from section 28, or from any provision thereof, and where in the opinion of the Minister such exemption is appropriate in the circumstances, he may grant the exemption.

Exemption

(4) Section 29 of *The Planning Act* does not apply in respect of descriptions made for the purposes of this Act.

R.S.O. 1960, c. 296, s. 29, not to apply

REGULATIONS

25.—(1) The Lieutenant Governor in Council may make regulations,

Regulations

- (a) classifying properties for the purposes of the regulations;
- (b) prescribing the duties of officers appointed under *The Land Titles Act* or *The Registry Act* for the purposes of this Act;
- (c) governing the method of describing in instruments a property or any part of a property;
- (d) governing surveys, structural plans, descriptions and diagrams, and prescribing procedures for their registration and amendment;
- (e) requiring, in respect of any class of properties, in lieu of or in addition to the requirements of section 4, surveys of the properties showing the units and common elements;
- (f) respecting the registration and recording of declarations, descriptions, by-laws, notices of termination and other instruments;
- (g) respecting the names of corporations;

(h)

(h) respecting additions to the common elements;

R.S.O. 1960,
cc. 204, 348

(i) requiring the payment of fees to officers appointed under *The Land Titles Act* or *The Registry Act*, and prescribing the amounts thereof;

(j) prescribing forms and providing for their use;

(k) respecting any matter necessary or advisable to carry out effectively the intent and purpose of this Act.

Application
of
regulations

(2) Any provision of any regulation may be made to apply to all properties or to any class of properties.

MISCELLANEOUS

Commence-
ment

26. This Act comes into force on a day to be named by the Lieutenant Governor by his proclamation.

Short title

27. This Act may be cited as *The Condominium Act, 1967*.

CHAPTER 13

**An Act to amend
The Consumer Protection Act, 1966**

*Assented to March 22nd, 1967
Session Prorogued June 15th, 1967*

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) Section 1 of *The Consumer Protection Act, 1966* is ^{1966, c. 23, s. 1,} amended by relettering clause *a* as clause *aa* and by adding ^{amended} thereto the following clause:

- (a) “actually received” means the sum of money received by the borrower from the lender that can be used by the borrower without any restrictions on its use imposed by the lender.

(2) Sub-subclause b of subclause i of clause *c* of the said ^{1966, c. 23,} section 1 is amended by adding at the end thereof “plus, in ^{s. 1, cl. c,} each case, insurance or official fees, if any, actually paid by ^{subcl. i,} the lender”, so that the sub-subclause shall read as follows: ^{s-subcl. b,} ^{amended}

- b. the sum actually received in cash by the borrower or, where the lender is a seller, the amount of the cash price of the goods or services less the sums, if any, actually paid as a down payment or credited in respect of a trade-in or paid or credited for any other reason plus, in each case, insurance or official fees, if any, actually paid by the lender.

(3) Clause *e* of the said section 1 is amended by striking ^{1966, c. 23,} out “Registration and Examination Branch” in the first and ^{s. 1, cl. e,} second lines and inserting in lieu thereof “Consumer Protec- ^{amended} tion Division”, so that the clause shall read as follows:

- (e) “Director” means the Director of the Consumer Protection Division of the Department of Financial and Commercial Affairs.

(4) The said section 1 is further amended by adding thereto ^{1966,} the following clauses: ^{c. 23, s. 1,} ^{amended}

(ia)

- (ia) "official fee" means a fee that is required to be paid by or under a statute of Ontario or Canada;

.

- (ja) "purchase price" means the total obligation payable by the buyer under an executory contract.

1966, c. 23,
s. 21, cl. a,
re-enacted

2.—(1) Clause *a* of section 21 of *The Consumer Protection Act, 1966* is repealed and the following substituted therefor:

- (a) the sum,
- (i) expressed as one sum in dollars and cents, actually received in cash by the borrower, plus insurance or official fees, if any, actually paid by the lender, or
 - (ii) where the lender is a seller, being the amount of the cash price of the goods or services, including any insurance or official fees.

1966, c. 23,
s. 21, cl. c,
amended

(2) Clause *c* of the said section 21 is amended by inserting after "under" in the second line "subclause ii of", so that the clause shall read as follows:

- (c) where the lender is a seller, the amount by which the sum stated under subclause ii of clause *a* exceeds the sum stated under clause *b*.

1966, c. 23,
s. 21, cl. e,
amended

(3) Clause *e* of the said section 21 is amended by,

- (a) inserting after "under" in the first line of subclause i "subclause i of";
- (b) striking out "of the obligation" in the seventh line and inserting in lieu thereof "thereof"; and
- (c) striking out "and" in the ninth line,

so that the clause shall read as follows:

- (e) the percentage that the cost of borrowing bears to the sum stated,
 - (i) under subclause i of clause *a*, where the lender is not a seller, or
 - (ii) under clause *c*, where the lender is a seller,

expressed

expressed as an annual rate applied to the unpaid balance thereof from time to time, calculated and expressed in the manner prescribed by the regulations.

(4) The said section 21 is amended by relettering clause ^f1966, c. 23, s. 21, as clause *h* and by adding thereto the following clauses: _{amended}

- (f) the amount, if any, charged for insurance;
- (g) the amount, if any, charged for official fees; and

.

3. Subclause *i* of clause *a* of subsection 2 of section 22 of ^{1966,} *The Consumer Protection Act, 1966* is amended by inserting _{c. 23, s. 22,} after “percentage” in the first line “or scale of annual per- _{subs. 2,} centages”, so that the subclause shall read as follows: _{cl. a,} _{subcl. i,} _{amended}

- (i) stated as an annual percentage, or scale of annual percentages, of such balance charged at the end of each period, subject to a minimum dollars-and-cents charge, if any, and

.

4.—(1) Subsection 1 of section 26 of *The Consumer Pro-* ^{1966,} *tection Act, 1966* is amended by adding at the commencement _{c. 23, s. 26,} thereof “Subject to the regulations”, so that the subsection _{subs. 1,} shall read as follows: _{amended}

- (1) Subject to the regulations, no lender shall represent, ^{Advertising} either orally or in print, or by radio or television _{of cost of} broadcast, his charge for credit or cause such charge _{borrowing} to be so represented unless the representation includes the full cost of borrowing and is expressed in the manner required by section 21 or 22.

(2) Subsection 2 of the said section 26 is amended by adding ^{1966,} at the commencement thereof “Subject to the regulations”, _{c. 23, s. 26,} so that the subsection shall read as follows: _{subs. 2,} _{amended}

- (2) Subject to the regulations, where a lender represents ^{Advertising} or causes to be represented in a printing, broadcast _{of other} or other publication any terms of the credit agree- _{terms of} ment other than that referred to in subsection 1, the lender shall also include or cause to be included all other relevant terms of the credit transaction, in- _{credit} cluding,
 - (a) the sum to be actually received in cash by the borrower or the actual cash price of the goods;

(b)

- (b) the amount of the down payment;
- (c) the amount of each instalment; and
- (d) the number of instalments required to repay the total indebtedness, including the cost of borrowing.

1966,
c. 23, s. 32,
amended

5. Section 32 of *The Consumer Protection Act, 1966* is amended by adding thereto the following subsection:

Exemption

- (4) The provisions of this Act and the regulations do not apply to any contravention of this Act or the regulations that a lender proves to be the result of accident or *bona fide* error or to be a clerical error or omission or a violation beyond the control of the lender where the lender is a seller.

1966,
c. 23, s. 33,
amended

6. Section 33 of *The Consumer Protection Act, 1966* is amended by relettering clause *j* as clause *l* and by adding thereto the following clauses:

- (j) defining any expression used in Part II or Part III of this Act;
- (k) governing the advertising by lenders of the cost of borrowing or other terms of credit.

Commence-
ment

7. This Act comes into force on a day to be named by the Lieutenant Governor by his proclamation.

Short title

8. This Act may be cited as *The Consumer Protection Amendment Act, 1967*.

CHAPTER 14

An Act respecting the Township of Cornwall

*Assented to April 26th, 1967
Session Prorogued June 15th, 1967*

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. The Corporation of the Township of Cornwall is hereby empowered to pay to The Hydro-Electric Power Commission of Ontario an amount not exceeding \$35,000 representing the Township's portion of the cost of the installation of the sixteen-inch watermain referred to in the resolution passed by the council of The Corporation of the Township of Cornwall on the 25th day of May, 1966, set forth as the Schedule hereto, which resolution is valid and binding on The Corporation of the Township of Cornwall and the ratepayers thereof.

Township
empowered
to pay
its portion
of cost of
watermain

2. The council of The Corporation of the Township of Cornwall may pass a by-law without obtaining the approval of the Ontario Municipal Board providing for the issue of a debenture or debentures of the Corporation in a principal amount not exceeding \$35,000, payable in not more than fifteen years, for the purpose of paying the Township's portion of the cost of the installation of the watermain referred to in the resolution set forth as the Schedule hereto.

Debenture
by-law
authorized

3. Sections 55, 56, 57 and 58 of *The Ontario Municipal Board Act* apply in respect of a by-law passed under section 2 and the debenture or debentures to be issued thereunder.

Application
of
R.S.O. 1960,
c. 274

4. For the purposes of every Act, the Ontario Municipal Board shall be deemed to have issued an order under section 64 of *The Ontario Municipal Board Act* authorizing The Corporation of the Township of Cornwall to proceed with the undertaking referred to in section 1 and authorizing The Corporation of the Township of Cornwall to issue a debenture or debentures under section 2.

By-law
deemed
approved
by O.M.B.
R.S.O. 1960,
c. 274

5. This Act comes into force on the day it receives Royal Assent.

Commence-
ment

Short title **6.** This Act may be cited as *The Township of Cornwall Act, 1967*.

SCHEDULE

RESOLUTION

Moved by: RALPH MOSS

Seconded by: HAROLD FICKES

That the Township of Cornwall wishes the Hydro to install a sixteen (16) inch watermain from pump house on island 17, to connect with the watermain on Moulinette Road, at the north side of Highway No. 2, at a cost to the Township of \$35,000 fully installed.

Signed,

J. L. McDONALD,
Reeve.

May 25, 1966.

CHAPTER 15

An Act to amend The Corporations Tax Act

*Assented to March 22nd, 1967
Session Prorogued June 15th, 1967*

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Subsection 10 of section 2 of *The Corporations Tax Act*, R.S.O. 1960, as re-enacted by subsection 2 of section 2 of *The Corporations Tax Amendment Act, 1961-62*, is repealed and the following substituted therefor:

c. 73, s. 2,
subs. 10
(1961-62,
c. 23, s. 2,
subs. 2),
re-enacted

- (10) Where a corporation has no fixed place of business, *Idem* it has a permanent establishment in the principal place in which the corporation's business is conducted.
- (11) A corporation has a permanent establishment in the *Idem* place designated in its charter or by-laws as being its head office.

2.—(1) Subsections 1 and 2 of section 4 of *The Corporations Tax Act* are repealed and the following substituted therefor:

R.S.O. 1960,
c. 73, s. 4,
subss. 1, 2,
re-enacted

- (1) Except as otherwise provided in this Act, every corporation that has a permanent establishment in Ontario shall, for every fiscal year of the corporation, pay a tax of 12 per cent calculated on its taxable income. *Income tax*
- (2) There may be deducted from the tax otherwise payable by a corporation under this section for a fiscal year an amount equal to 12 per cent of that portion of its taxable income that is earned in the fiscal year in each jurisdiction other than Ontario. *Deductions from tax on income—allocation of taxable income*

(2) Clause *a* of subsection 35 of the said section 4, as re-enacted by subsection 1 of section 1 of *The Corporations Tax Amendment Act, 1962-63*, is amended by striking out "9" in the first line and inserting in lieu thereof "10".

R.S.O. 1960,
c. 73, s. 4,
subs. 35
(1962-63,
c. 26, s. 1,
subs. 1),
cl. *a*,
amended

R.S.O. 1960,
c. 73, s. 31,
subs. 4,
cl. c,
amended

3. Clause *c* of subsection 4 of section 31 of *The Corporations Tax Act* is amended by striking out “and” at the end of subclause iii, by adding “and” at the end of subclause iv, and by adding thereto the following subclause:

- (v) an amount by which the liability of a corporation to a mortgagee is reduced as a result of foreclosure of its interest in property that is mortgaged or as a result of the sale of that property under a provision of the mortgage, plus any amount received by the corporation out of the proceeds of such sale.

R.S.O. 1960,
c. 73, s. 39,
subs. 1,
par. 1,
re-enacted

4.—(1) Paragraph 1 of subsection 1 of section 39 of *The Corporations Tax Act* is repealed and the following substituted therefor:

charitable
donations

1. The aggregate of gifts made by the corporation in the fiscal year (and in the immediately preceding fiscal year, to the extent of the amount thereof that was not deductible under this Part in computing the taxable income of the corporation for that immediately preceding fiscal year) to,

- (i) registered Canadian charitable organizations,

- (ii) housing corporations resident in Canada and exempt from tax under Part I of the *Income Tax Act* (Canada) by paragraph *ga* of subsection 1 of section 62 thereof,

- (iii) Her Majesty in right of any province of Canada other than Ontario and any Canadian municipality,

- (iv) the United Nations or agencies thereof,

- (v) universities outside Canada prescribed to be universities, the student body of which ordinarily includes students from Canada, and

- (vi) charitable organizations outside Canada to which Her Majesty in right of Canada has made a gift during the fiscal year of the corporation or the 12 months immediately preceding that fiscal year,

not exceeding 10 per cent of the income of the corporation for the fiscal year, if payment of the amounts given is proven by filing receipts or photostatic reproductions thereof with the Treasurer that,

R.S.C. 1952,
c. 148

in the case of donations to registered Canadian charitable organizations, contain prescribed information.

(2) The said section 39 is amended by adding thereto the following subsections: R.S.O. 1960,
c. 73, s. 39,
amended

(6) In respect of a year after 1966, "registered Canadian charitable organization" means, Registered
Canadian
charitable
organiza-
tions

(a) a charitable organization in Canada exempt from tax under Part I of the *Income Tax Act* (Canada) by paragraph *e* of subsection 1 of section 62 thereof or a corporation or trust resident in Canada exempt from tax under that Part by paragraph *f* or *g* of that subsection; or R.S.C. 1952,
c. 148

(b) a branch, section, parish, congregation or other division of an organization described in clause *a* that receives donations on its own behalf,

that has been registered by the Treasurer for the purposes of this section in respect of the year and whose registration has not been revoked for such year.

(7) The Treasurer shall be deemed to have registered as a Canadian charitable organization in respect of the year under this section every charitable organization, corporation or trust that is registered by the Minister of National Revenue for Canada as a Canadian charitable organization in respect of the same year under subsection 3*b* of section 27 of the *Income Tax Act* (Canada). Registration
of Canadian
charitable
organiza-
tions

(8) The Treasurer shall be deemed to have revoked the registration of a charitable organization, corporation or trust as a registered Canadian charitable organization when the Minister of National Revenue for Canada revokes it under subsection 3*c* of section 27 of the *Income Tax Act* (Canada). Revocation
of regis-
tration

5. Subparagraph ii of paragraph 4 of subsection 2 of section 45 of *The Corporations Tax Act* is repealed and the following substituted therefor: R.S.O. 1960,
c. 73, s. 45,
subs. 2,
par. 4,
subpar. ii,
re-enacted

- (ii) trading or dealing in bonds, shares, debentures, mortgages, hypothecs, bills, notes or other similar property or any interest therein.

R.S.O. 1960,
c. 73, s. 46*a*
(1965, c. 22,
s. 11),
subs. 2,
cl. *e*,
re-enacted

6. Clause *e* of subsection 2 of section 46*a* of *The Corporations Tax Act*, as enacted by section 11 of *The Corporations Tax Amendment Act, 1965*, is repealed and the following substituted therefor:

(*e*) “new manufacturing or processing business” means a manufacturing or processing business that commenced manufacturing or processing in reasonable commercial quantities after the 4th day of December, 1963, and before the 1st day of April, 1967, or, where the Treasurer is satisfied,

(i) that the facilities to be used in the business were in the process of being constructed, installed or assembled on the site of the proposed business premises on the 29th day of March, 1966, and

(ii) that the business was unable to commence manufacturing or processing in reasonable commercial quantities before the 1st day of April, 1967, by reason of an event beyond the control of the corporation,

before the 1st day of April, 1968.

R.S.O. 1960,
c. 73, s. 56,
subs. 5,
cl. *a*,
re-enacted

7. Clause *a* of subsection 5 of section 56 of *The Corporations Tax Act* is repealed and the following substituted therefor:

(*a*) “mine” does not include an oil well, gas well, brine well, sand pit, gravel pit, clay pit, shale pit or stone quarry (other than a deposit of oil shale or bituminous sand), but does include a well for the extraction of material from a sylvite deposit and all such wells, the material produced from which is sent to a single plant for processing, shall be deemed to be one mine; and

.

R.S.O. 1960,
c. 73, s. 59,
subs. 3,
amended

8.—(1) Subsection 3 of section 59 of *The Corporations Tax Act* is amended by striking out “Board of Transport Commissioners for Canada” in the seventh line and inserting in lieu thereof “Canadian Transport Commission”.

(2) Subsection 4 of the said section 59 is amended by striking out "Board of Transport Commissioners for Canada" in the sixth and seventh lines and in the tenth line and inserting in lieu thereof in each instance "Canadian Transport Commission". R.S.O. 1960,
c. 73, s. 59,
subs. 4,
amended

9.—(1) Subsection 2 of section 74 of *The Corporations Tax Act*, as amended by section 13 of *The Corporations Tax Amendment Act, 1964*, is repealed and the following substituted therefor: R.S.O. 1960,
c. 73, s. 74,
subs. 2,
re-enacted

(2) Every corporation on which a tax is imposed by this Act shall pay to the Treasurer, Dates of
payment

(a) on or before the fifteenth day of each of the fifth, eighth and eleventh months of the fiscal year in respect of which the tax is payable and on or before the fifteenth day of the second month of the fiscal year following that in respect of which the tax is payable, an instalment equal to one quarter of the tax payable as estimated by it at the rates for the taxation year on,

(i) its estimated taxable income and other subject of tax for the fiscal year, or

(ii) its taxable income and other subject of tax for the immediately preceding fiscal year; and

(b) on or before the last day on which a return is required to be delivered under subsection 1 of section 71, the balance, if any, of the tax payable as estimated by it on the return for the fiscal year.

(2) Subsection 4 of the said section 74 is repealed.

R.S.O. 1960,
c. 73, s. 74,
subs. 4,
repealed

10.—(1) Subsection 4 of section 75 of *The Corporations Tax Act* is repealed.

R.S.O. 1960,
c. 73, s. 75,
subs. 4,
repealed

(2) Subsection 6 of the said section 75 is repealed and the following substituted therefor:

R.S.O. 1960,
c. 73, s. 75,
subs. 6,
re-enacted

(6) In addition to the interest payable under subsections 1 and 2, every corporation required by section 74 to pay a part or instalment or the whole of the tax for a fiscal year on or before the day on which a return under subsection 1 of section 71 is required to be

Penalty
interest

delivered

delivered for that fiscal year shall pay penalty interest on any part or instalment or the whole of such tax that remains unpaid more than two months after the day such part or instalment or such whole was required to be paid by section 74 at the rate of 3 per cent per annum calculated with respect to each part or instalment or the whole of such tax, as the case may be, from two months following the date on or before which each part or instalment or the whole of such tax, as the case may be, is required to be paid by section 74 until the date of payment or two months following the date shown on the notice of assessment, whichever is the earlier.

R.S.O. 1960,
c. 73, s. 75,
amended

(3) The said section 75 is amended by adding thereto the following subsection:

Penalty
interest
on unpaid
tax

(7) In addition to the interest payable under subsections 1 and 2, every corporation on which a tax is imposed by this Act shall pay penalty interest on that unpaid portion of the tax payable for a fiscal year as assessed or re-assessed under this Act at the rate of 3 per cent per annum commencing two months after the date of mailing of the notice of assessment or re-assessment issued in respect of the tax payable for the fiscal year to the date of payment of the unpaid portion of the tax payable notwithstanding any subsequent re-assessment.

R.S.O. 1960,
c. 73, s. 76,
subs. 2,
re-enacted

11. Subsection 2 of section 76 of *The Corporations Tax Act* is repealed and the following substituted therefor:

Notice of
assessment

(2) After examination of a return, the Treasurer shall send by mail or by registered mail or deliver by personal service a notice of assessment to the corporation that delivered the return.

Application

12.—(1) Subparagraph ii of paragraph 4 of subsection 2 of section 45 of *The Corporations Tax Act*, as enacted by section 5, applies to fiscal years of corporations ending after the 29th day of March, 1966, but for the purpose of determining whether the principal business of a corporation for the whole of the fiscal year of the corporation that includes the 30th day of March, 1966, was trading or dealing in bonds, shares or debentures or any interest therein, the whole of such fiscal year shall be deemed to be that portion of the fiscal year that is after the 29th day of March, 1966.

Idem

(2) Subsection 4 of section 56 of *The Corporations Tax Act* applies in respect of income from a well or wells for the extraction of material from a sylvite deposit that is or are

a mine by virtue of clause *a* of subsection 5 of section 56 of the said Act, as re-enacted by section 7, where such income is derived from the operation thereof during such part, if any, of the period of thirty-six months commencing with the day on which the mine came into production as is after the 29th day of March, 1966.

(3) Subsection 1 of section 4 comes into force on the 1st ^{Idem} day of January, 1967, and gifts,

- (a) to charitable organizations in Canada exempt from tax under Part I of the *Income Tax Act* (Canada) ^{R.S.C. 1952, c. 148} by paragraph *e* of subsection 1 of section 62 thereof; or
- (b) to corporations or trusts resident in Canada and exempt from tax under the said Part by paragraph *f* or *g* of subsection 1 of section 62 thereof,

that were made by a corporation before 1967 and that would have been deductible by it in computing its taxable income for a fiscal year but for subsection 1 of this section, shall be deemed to be gifts made by the corporation to registered Canadian charitable organizations and may be deducted by it in computing its taxable income to the extent provided by paragraph 1 of subsection 1 of section 39 of *The Corporations Tax Act* as enacted by subsection 1 of section 4 of this Act.

(4) Sections 1 and 2 apply in respect of fiscal years of cor- ^{Idem}porations ending in 1967 and in respect of subsequent fiscal years.

13.—(1) This Act, except sections 2, 8 and subsection 3 ^{Commence-} of section 10, comes into force on the day it receives Royal ^{ment} Assent.

(2) Sections 2 and 8 come into force on a day to be named ^{Idem} by the Lieutenant Governor by his proclamation.

(3) Subsection 3 of section 10 comes into force on the 30th ^{Idem} day of June, 1967.

14. This Act may be cited as *The Corporations Tax Amend-* ^{Short title} *ment Act, 1967.*

CHAPTER 16

An Act to amend The County Courts Act

*Assented to March 22nd, 1967
Session Prorogued June 15th, 1967*

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Clause *j* of section 11 of *The County Courts Act* is repealed and the following substituted therefor:

R.S.O. 1960,
c. 76, s. 11,
cl. *j*,
re-enacted

(*j*) Sudbury, commencing on the first Monday of May and on the first Tuesday of November; and

.

2. This Act comes into force on the day it receives Royal Assent.

Commence-
ment

3. This Act may be cited as *The County Courts Amendment Act, 1967*.

Short title

CHAPTER 17

An Act to amend The County Judges Act

Assented to, except section 2, March 22nd, 1967

Section 2 assented to June 15th, 1967

Session Prorogued June 15th, 1967

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) Subsection 1 of section 2 of *The County Judges Act*, R.S.O. 1960, as amended by subsection 1 of section 1 of *The County Judges Amendment Act, 1965*, is further amended by inserting after "of" in the fourth line "Cochrane", so that the subsection shall read as follows: c. 77, s. 2, subs. 1, amended

(1) A junior judge may be appointed for the county court of each of the counties of Carleton, Essex and Welland and for the district court of each of the districts of Cochrane, Sudbury and Thunder Bay. Junior judges

(2) Subsection 3 of the said section 2 is amended by striking out "Eight" in the first line and inserting in lieu thereof "Ten", so that the subsection shall read as follows: R.S.O. 1960, c. 77, s. 2, subs. 3, amended

(3) Ten junior judges may be appointed for the county court of the county of York. Idem

2.—(1) Subsection 1 of section 9 of *The County Judges Act*, as re-enacted by subsection 1 of section 1 of *The County Judges Amendment Act, 1962-63*, is repealed. R.S.O. 1960, c. 77, s. 9, subs. 1 (1962-63, c. 28, s. 1, subs. 1), repealed

(2) Subsection 2 of the said section 9, as re-enacted by subsection 2 of section 1 of *The County Judges Amendment Act, 1962-63*, is repealed. R.S.O. 1960, c. 77, s. 9, subs. 2 (1962-63, c. 28, s. 1, subs. 2), repealed

3. This Act comes into force on the day it receives Royal Assent. Commencement

4. This Act may be cited as *The County Judges Amendment Act, 1967*. Short title

CHAPTER 18

An Act to amend The Crown Attorneys Act

Assented to June 15th, 1967
Session Prorogued June 15th, 1967

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Subsection 2 of section 1 of *The Crown Attorneys Act*, R.S.O. 1960, c. 82, s. 1, subs. 2 (1964, c. 15, s. 1, subs. 2), amended as enacted by subsection 2 of section 1 of *The Crown Attorneys Amendment Act, 1964*, is amended by inserting after "Province" in the second line "or a county or provisional judicial district thereof", so that the subsection shall read as follows:

(2) The Crown attorneys and assistant Crown attorneys Special Crown attorneys appointed for the Province or a county or provisional judicial district thereof shall act anywhere in the Province as directed by the Director of Public Prosecutions.

2. Section 6 of *The Crown Attorneys Act* is amended by R.S.O. 1960, c. 82, s. 6, amended adding thereto the following subsection:

(4) When a Crown attorney is absent or ill or is unable Pro tem appointments to perform his duties as clerk of the peace, or when there is a vacancy in the office of clerk of the peace, the Deputy Attorney General may appoint another Crown attorney to act *pro tem* as clerk of the peace during the period that the Crown attorney is absent or ill or is unable to perform his duties as clerk of the peace, or until there is no longer a vacancy in the office of the clerk of the peace, as the case may be.

3. This Act comes into force on the day it receives Royal Commencement Assent.

4. This Act may be cited as *The Crown Attorneys Amendment Act, 1967*. Short title

CHAPTER 19

An Act to amend The Department of Agriculture and Food Act

*Assented to March 22nd, 1967
Session Prorogued June 15th, 1967*

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) Subsection 1 of section 5b of *The Department of Agriculture and Food Act*, as re-enacted by section 1 of *The Department of Agriculture Amendment Act, 1965* and amended by subsection 1 of section 7 of *The Department of Agriculture Amendment Act, 1966*, is further amended by adding thereto the following clause:

- (d) the principal sum of \$5,000 together with interest thereon made to farmers who incur crop losses occasioned by adverse weather in 1966 for the purpose of paying mortgage payments, taxes or production operating expenses in 1966 or 1967.

(2) Subsection 1a of the said section 5b, as enacted by subsection 2 of section 7 of *The Department of Agriculture Amendment Act, 1966*, is amended by inserting after "clause c" in the first line "or d", so that the subsection shall read as follows:

- (1a) Where a guarantee is given under clause c or d of subsection 1, the Lieutenant Governor in Council may, upon the recommendation of the Minister, authorize the payment by the Province of Ontario of the whole or any part of the interest on the loan for the whole or any part of the term of the guarantee.

2. Payments of interest made under subsection 1a of section 5b of *The Department of Agriculture and Food Act* in respect of loans referred to in clause d of subsection 1 of the said section 5b, as enacted by subsection 1 of section 1 of this Act, during the fiscal year ending on the 31st day of March,

1967, shall be paid out of the Consolidated Revenue Fund, and thereafter shall be paid out of the moneys appropriated therefor by the Legislature.

Commence-
ment

3. This Act shall be deemed to have come into force on the 1st day of November, 1966.

Short title

4. This Act may be cited as *The Department of Agriculture and Food Amendment Act, 1967*.

CHAPTER 20

An Act to amend The Department of Education Act

*Assented to June 15th, 1967
Session Prorogued June 15th, 1967*

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) Paragraph 3 of subsection 1 of section 12 of *The Department of Education Act* is repealed and the following substituted therefor: R.S.O. 1960,
c. 94, s. 12,
subs. 1,
par. 3,
re-enacted

3. governing the establishment, organization and administration of special education programmes and services. special
education

(2) Paragraph 27 of subsection 1 of the said section 12 is amended by striking out "officers" in the fifth line and inserting in lieu thereof "counsellors". R.S.O. 1960,
c. 94, s. 12,
subs. 1,
par. 27,
amended

2.—(1) Subsection 1 of section 13 of *The Department of Education Act*, as re-enacted by section 2 of *The Department of Education Amendment Act, 1962-63*, is amended by striking out "Labour" in the fifth line and inserting in lieu thereof "Manpower and Immigration", so that the subsection shall read as follows: R.S.O. 1960,
c. 94, s. 13,
subs. 1
(1962-63,
c. 32, s. 2),
amended

- (1) The Crown in right of Ontario, represented by the Minister, with the approval of the Lieutenant Governor in Council, may make agreements with the Crown in right of Canada represented by the Minister of Manpower and Immigration of Canada respecting technical and vocational training and represented by the Minister of National Health and Welfare of Canada respecting physical fitness. Technical
and
vocational
agreements,
etc.

(2) Subsection 3 of the said section 13 is amended by striking out "Labour" in the third line and inserting in lieu thereof "Manpower and Immigration", so that the subsection shall read as follows: R.S.O. 1960,
c. 94, s. 13,
subs. 3,
amended

Bursaries
and
scholarships

- (3) The Crown in right of Ontario, represented by the Minister, may make agreements with the Crown in right of Canada, represented by the Minister of Manpower and Immigration of Canada, respecting the establishment, awarding and payment of bursaries and scholarships to students eligible therefor under the regulations.

Commence-
ment

- 3.**—(1) This Act, except subsection 2 of section 1, comes into force on the day it receives Royal Assent.

Idem

- (2) Subsection 2 of section 1 comes into force on the 1st day of January, 1968.

Short title

- 4.** This Act may be cited as *The Department of Education Amendment Act, 1967*.

CHAPTER 21

An Act to amend The Department of Financial and Commercial Affairs Act, 1966

*Assented to March 22nd, 1967
Session Prorogued June 15th, 1967*

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. *The Department of Financial and Commercial Affairs Act, 1966* is amended by adding thereto the following section: <sup>1966, c. 41,
amended</sup>

- 9a.—(1) There shall be a committee of not more than <sup>Advisory
Committee</sup> nine members to be known as the Financial and Commercial Affairs Advisory Committee, the members of which shall be appointed by the Lieutenant Governor in Council and shall hold office during pleasure.
- (2) The Lieutenant Governor in Council may designate ^{Chairman} one of the members to be chairman of the Advisory Committee.
- (3) The Advisory Committee shall meet at the call of ^{Meetings} the Minister.
- (4) The Advisory Committee shall, when requested by ^{Function} the Minister, consult with and advise the Minister on financial, commercial and related matters.
- (5) The Lieutenant Governor in Council may provide <sup>Remunera-
tion</sup> remuneration to each member of the Advisory Committee.
- (6) Each member is entitled to his reasonable and neces- ^{Expenses} sary expenses for attending meetings and in the transaction of the business of the Advisory Committee.

2. This Act comes into force on the day it receives Royal <sup>Commence-
ment</sup> Assent.

3. This Act may be cited as *The Department of Financial and Commercial Affairs Amendment Act, 1967*. ^{Short title}

CHAPTER 22

**An Act to amend
The Department of Municipal Affairs Act**

*Assented to June 15th, 1967
Session Prorogued June 15th, 1967*

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Subsection 5 of section 47 of *The Department of Municipal Affairs Act* is amended by inserting after “a” in the sixth line “specimen”, so that the subsection shall read as follows: R.S.O. 1960, c. 98, s. 47, subs. 5, amended

(5) The Treasurer, forthwith after he has sent the notice as required by subsection 4, shall make and register in the registry office a statutory declaration describing the land to which it relates and setting forth the names and addresses of all persons to whom he has sent the notice and the date of sending the same to each person, and a specimen copy of the notice shall be attached to the declaration as an exhibit. Registration of declaration as to sending of notices

2. This Act comes into force on the day it receives Royal Assent. Commencement

3. This Act may be cited as *The Department of Municipal Affairs Amendment Act, 1967*. Short title

CHAPTER 23

The Department of Social and Family Services Act, 1967

*Assented to March 22nd, 1967
Session Prorogued June 15th, 1967*

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. In this Act,

Interpre-
tation

- (a) "Department" means the Department of Social and Family Services;
- (b) "Minister" means the Minister of Social and Family Services.

2.—(1) The department of the public service heretofore known as the Department of Public Welfare is continued under the name "Department of Social and Family Services".

Department
established

(2) The Minister shall preside over and have charge of the Department.

Minister
to have
charge

3.—(1) The Minister is responsible for the administration of this Act and the regulations thereunder and the Acts and regulations made thereunder that are assigned or transferred to him by the Legislature or by the Lieutenant Governor in Council.

Responsi-
bility of
Minister

(2) The Minister, with the approval of the Lieutenant Governor in Council, may, on behalf of the Government of Ontario, make agreements with the Crown in right of Canada respecting the payment by Canada to Ontario of any portion of any expenditures heretofore or hereafter made by Ontario or by any municipality under any Act for the administration of which the Minister is responsible.

Agreements

4. Subject to *The Public Service Act, 1961-62*, there may be appointed a Deputy Minister of Social and Family Services and such other officers, clerks and servants as the Minister deems necessary for the proper conduct of the business of the Department.

Deputy
Minister
and staff
1961-62,
c. 121

Change of
name and
title in
other
Acts

5. Any mention of or reference to the Minister of Public Welfare or the Department of Public Welfare in any Act or regulation shall be deemed to be a mention of or reference to the Minister of Social and Family Services or the Department of Social and Family Services, respectively.

Duties of
Minister

6. The Minister may,

- (a) institute inquiries into and collect information and statistics relating to or affecting any matter for the provision or promotion of social and family services;
- (b) disseminate from time to time information, in such manner and form as he considers suitable, for the promotion of social and family services;
- (c) secure the observance and execution of all Acts and regulations for the administration of which he is responsible; and
- (d) direct any officer of the Department or any other person to investigate and inquire into and report to him upon any activity, matter, agency, organization, association or institution having for any of its objects or relating to or affecting the social welfare of persons in Ontario and that is not under the jurisdiction of any other department of the public service of Ontario.

Regulation

7. The Lieutenant Governor in Council may make regulations,

- (a) designating any institution or organization having charitable objects or purposes or any class of them to be subject to the control of the Minister;
- (b) authorizing the Minister to operate and manage any institution or organization or class thereof that has been designated to be subject to the control of the Minister under this section;
- (c) governing the operation and activities of any institution or organization or class thereof that has been designated to be subject to the control of the Minister under this section, including regulations governing the procuring of funds from the public and the application thereof by any such institution or organization or class thereof.

8. *The Department of Public Welfare Act, The Department of Public Welfare Amendment Act, 1965 and The Department of Public Welfare Amendment Act, 1966* are repealed. R.S.O. 1960, c. 100; 1965, c. 30; 1966, c. 43, repealed

9. This Act comes into force on the day it receives Royal Assent. Commencement

10. This Act may be cited as *The Department of Social and Family Services Act, 1967*. Short title

CHAPTER 24

**An Act to amend The Department
of Tourism and Information Act, 1966**

*Assented to June 15th, 1967
Session Prorogued June 15th, 1967*

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Subsection 2 of section 10 of *The Department of Tourism and Information Act, 1966* is repealed and the following substituted therefor: 1966, c. 44, s. 10, subs. 2, re-enacted

(2) The Minister is responsible for the development, control and management of historical parks. Responsibility of Minister

2. *The Department of Tourism and Information Act, 1966* is amended by adding thereto the following section: 1966, c. 44, amended

10a.—(1) The Lieutenant Governor in Council may establish a committee in respect of any historical park, consisting of not more than ten members, to advise the Minister in the development and management of the park and in such other matters as the Minister refers to it. Advisory Committee

(2) The members of a committee established under subsection 1 shall receive such remuneration for their services as the Lieutenant Governor in Council determines and shall be paid proper travelling and other expenses incurred in the work of the committee. Remuneration of members

3. Subsection 1 of section 12 of *The Department of Tourism and Information Act, 1966* is amended by adding thereto the following clause: 1966, c. 44, s. 12, subs. 1, amended

(1a) governing the use of historical parks.

Commence-
ment

4. This Act comes into force on the day it receives Royal Assent.

Short title

5. This Act may be cited as *The Department of Tourism and Information Amendment Act, 1967*.

CHAPTER 25

An Act to amend The Energy Act, 1964

Assented to April 26th, 1967
Session Prorogued June 15th, 1967

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) Paragraphs 6, 7 and 8 of section 1 of *The Energy Act, 1964* are repealed and the following substituted therefor: ^{1964, c. 27, s. 1, pars. 6-8, re-enacted}

6. “fuel oil” means any hydrocarbon that is liquid at 60°F. and 29.92 inches of mercury and has a flash-point of not less than 110°F. and that comes within the meaning of the Canadian Government Specifications Board Specification 3-GP-2c entitled FUEL OIL and dated the 18th day of December, 1959, 3-GP-3a entitled Kerosine and dated the 11th day of December, 1964 or 3-GP-6c entitled DIESEL FUEL and dated the 31st day of December, 1963;

7. “gas” means natural gas, manufactured gas or propane or any mixture of any of them;

8. “hydrocarbon” means gas, oil and fuel oil.

(2) The said section 1 is amended by adding thereto the following paragraph: ^{1964, c. 27, s. 1, amended}

9a. “install” includes placing in position for temporary use.

(3) Paragraph 12 of the said section 1 is repealed and the following substituted therefor: ^{1964, c. 27, s. 1, par. 12, re-enacted}

12. “manufactured gas” includes,

(i) sewage gas produced in a sewage treatment plant, and

(ii) a mixture of liquefied petroleum gas and air distributed by pipe line.

1964,
c. 27, s. 1,
par. 18,
amended

(4) Paragraph 18 of the said section 1 is amended by striking out "undiluted liquefied petroleum gas" in the second line and inserting in lieu thereof "propane", so that the paragraph shall read as follows:

18. "pipe line" means a pipe that carries a hydrocarbon, other than propane, and includes every part thereof and adjunct thereto.

1964,
c. 27, s. 1,
amended

(5) The said section 1 is amended by adding thereto the following paragraph:

- 19a. "propane" means liquefied petroleum gases or any mixture of any of them, undiluted with air, but does not include liquefied natural gas.

1964,
c. 27, s. 1,
par. 26,
re-enacted

(6) Paragraph 26 of the said section 1, as amended by section 1 of *The Energy Amendment Act, 1965*, is repealed and the following substituted therefor:

26. "well" means a hole drilled into a geological formation of Cambrian or more recent age, except a hole where no gas or oil is encountered that is drilled for the production of fresh water or salt.

1964,
c. 27, s. 7,
subss. 1-4,
re-enacted

2. Subsections 1, 2, 3 and 4 of section 7 of *The Energy Act, 1964* are repealed and the following substituted therefor:

Licences
to handle
hydro-
carbons

- (1) No person shall,

- (a) transmit a hydrocarbon;
- (b) distribute gas;
- (c) distribute fuel oil by pipe line;
- (d) transfer propane to a pressure vessel; or
- (e) transport propane,

unless he is the holder of a licence for such purpose, but the failure to comply with this subsection does not affect the validity of any contract.

Labelling of
appliances

- (2) No person shall buy, sell, offer for sale, lease, rent or install an appliance that does not bear the label of an organization designated in the regulations or a label issued by the Minister.

(3) No person shall carry on the business of installing, repairing, servicing or removing appliances or any class or classes thereof unless he is registered for the purpose. ^{Registration of contractors}

(4) No person shall install, repair, service or remove or permit or cause to be installed, repaired, serviced or removed an appliance unless the installation, repair, service or removal is done by or under the supervision of a person who is licensed for such purposes. ^{Idem}

3. Subsection 1 of section 9 of *The Energy Act, 1964* is amended by adding thereto the following clause: ^{1964, c. 27, s. 9, subs. 1, amended}

(ca) cuts, damages or interferes with a pipe line without authority to do so.

4.—(1) Clause *j* of subsection 1 of section 11 of *The Energy Act, 1964*, as amended by subsection 2 of section 3 of *The Energy Amendment Act, 1965*, is further amended by striking out “and the apportioning of the costs and the benefits of such drilling or operation” in the amendment of 1965, so that the clause shall read as follows: ^{1964, c. 27, s. 11, subs. 1, cl. j, amended}

(j) to provide for the designation of spacing units and regulating the location of wells in spacing units and requiring and regulating the joining of the various interests within a spacing unit for the purpose of drilling or operating a well.

(2) Clause *f* of subsection 2 of the said section 11 and clause *g*, as amended by subsection 3 of section 3 of *The Energy Amendment Act, 1965*, are repealed and the following substituted therefor: ^{1964, c. 27, s. 11, subs. 2, cls. f, g, re-enacted}

(f) providing for the registration of contractors, or any class of them, and prescribing their responsibilities;

(g) providing for the licensing of persons or classes of persons who may inspect, install, repair, service or remove appliances or pipe lines, and prescribing the acts that shall be performed by such persons personally.

5. This Act comes into force on the day it receives Royal Assent. ^{Commencement}

6. This Act may be cited as *The Energy Amendment Act, 1967*. ^{Short title}

CHAPTER 26

An Act to amend The Execution Act

Assented to June 15th, 1967
Session Prorogued June 15th, 1967

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Sections 2, 3 and 4 of *The Execution Act* are repealed and the following substituted therefor:

R.S.O. 1960,
c. 126,
ss. 2-4,
re-enacted

2. The following chattels are exempt from seizure under any writ issued out of any court: Exemptions

1. Necessary and ordinary wearing apparel of the debtor and his family not exceeding \$1,000 in value.
2. The household furniture, utensils, equipment, food and fuel that are contained in and form part of the permanent home of the debtor not exceeding \$2,000 in value.
3. In the case of a debtor other than a person engaged solely in the tillage of the soil or farming, tools and instruments and other chattels ordinarily used by the debtor in his business, profession or calling not exceeding \$2,000 in value.
4. In the case of a person engaged solely in the tillage of the soil or farming, the live stock, fowl, bees, books, tools and implements and other chattels ordinarily used by the debtor in his business or calling not exceeding \$5,000 in value.
5. In the case of a person engaged solely in the tillage of the soil or farming, sufficient seed to seed all his land under cultivation, not exceeding 100 acres, as selected by the debtor, and fourteen bushels of potatoes, and, where

seizure

seizure is made between the 1st day of October and the 30th day of April, such food and bedding as are necessary to feed and bed the live stock and fowl that are exempt under this section until the 30th day of April next following.

Sale and
refund of
amount of
exemption

- 3.—(1) Where exemption is claimed for a chattel referred to in paragraph 3 of section 2 that has a sale value in excess of \$2,000 plus the costs of the sale and other chattels are not available for seizure and sale, the chattel is subject to seizure and sale under a writ of execution and \$2,000 shall be paid to the debtor out of the proceeds of the sale.

Idem

- (2) The debtor may, in lieu of the chattels referred to in paragraph 4 of section 2, elect to receive the proceeds of the sale thereof up to \$5,000, in which case the officer executing the writ shall pay the net proceeds of the sale if they do not exceed \$5,000 or, if they exceed \$5,000, shall pay that sum to the debtor in satisfaction of the debtor's right to exemption under that paragraph.

Money
derived
from sale
of exempted
goods

4. The sum to which a debtor is entitled under subsection 1 or 2 of section 3 is exempt from attachment or seizure at the instance of a creditor.

R.S.O. 1960,
c. 126, s. 7,
re-enacted

2. Section 7 of *The Execution Act* is repealed and the following substituted therefor:

Articles
for which
debt
contracted

- 7.—(1) The exemptions prescribed in this Act do not apply to exempt any chattel from seizure to satisfy a debt contracted for the purchase of such chattel, except beds, bedding and bedsteads, including cradles in ordinary use by the debtor and his family and the necessary and ordinary wearing apparel of the debtor and his family.

Debt for
maintenance

- (2) The exemptions prescribed in this Act do not apply to exempt any article from seizure to satisfy a debt for maintenance of a spouse or former spouse or of a child, except tools, instruments and chattels ordinarily used by the debtor in his business, profession or calling.

Chattels
purchased
to defeat
creditors

- (3) The exemptions prescribed in this Act do not apply to chattels purchased for the purpose of defeating claims of creditors.

(4) The exemptions prescribed in this Act are not available to a corporate debtor. No exemption for corporations

(5) The exemptions prescribed in this Act bind the Crown. Exemptions bind Crown

7a.—(1) Where a dispute arises as to, Disputes

(a) whether or not a chattel is eligible for exemption from seizure under sections 2 to 7; or

(b) whether or not chattels claimed to be exempt exceed the value of the exemption prescribed by section 2,

the debtor or creditor may apply to the county or district court of the county or district in which the chattel is located for the determination of the question, and the court shall determine the question after a hearing upon such notice to such persons as the court directs.

(2) A sheriff may apply to the county or district court of the county or district of which he is the sheriff for direction on any matter arising under sections 2 to 7. Application by sheriff for direction

3.—(1) *The Execution Act* is amended by adding thereto the following section: R.S.O. 1960, c. 126, amended

29.—(1) Where an area of land in a county or provisional judicial district is annexed for judicial purposes to an adjoining county or provisional judicial district, Jurisdiction of sheriff on annexation

(a) all writs of execution in the hands of the sheriff of the county or provisional judicial district to which the area is annexed at the time of the annexation bind the land in the annexed area from that time, subject to section 145 of *The Land Titles Act*; and

R.S.O. 1960, c. 204

(b) the annexed area shall be deemed to remain in the bailiwick of the sheriff of the county or provisional judicial district of which it was formerly a part in respect of each writ of execution in his hands at the time of the annexation until its withdrawal, expiry or renewal, as the case may be.

(2) No steps shall be taken by either sheriff referred to in subsection 1 to seize and sell real or personal property of a debtor in the annexed area under a Levy against land in annexed area

writ of execution until he has notified the other sheriff of his intention to do so, and the sheriff so notified shall forward to the sheriff executing the writ a certified copy of each writ of execution against the debtor,

- (a) in his hands, where the sheriff notified is the sheriff of the county or provisional judicial district to which the area is annexed; or
- (b) in his hands at the time of the annexation and not thereafter withdrawn, expired or renewed, where the sheriff notified is the sheriff of the county or provisional judicial district of which the annexed area was formerly a part.

Filing of
writs of
execution
before sale

- (3) Where a certified copy of a writ of execution is received by a sheriff under subsection 2, the copy shall be deemed to be a writ of execution directed to the sheriff receiving it and filed by the creditor named therein on the day of its receipt.

Liens
for bail
R.S.O. 1960,
cc. 28, 348

- (4) This section applies to liens for bail under *The Bail Act* against land in the annexed area to which *The Registry Act* applies in the same manner as if the certificates of lien for bail were writs of execution, except that a lien of which a certificate was delivered to the sheriff of the county or provisional judicial district of which the annexed area was formerly a part shall expire three years after the annexation takes effect unless it is sooner discharged or a certificate thereof is delivered to the sheriff in whose bailiwick the land is situate.

Application

- (2) This section applies to annexations for judicial purposes taking effect on or after the 1st day of January, 1967, but, where an annexation takes effect on or after that date and before this Act comes into force, this Act applies only in respect of writs of executions in the hands of a sheriff on the day this Act comes into force.

Application
of Act

- 4.** Sections 1 and 2 apply to seizures made after this Act comes into force.

Commence-
ment

- 5.** This Act comes into force on the 1st day of July, 1967.

Short title

- 6.** This Act may be cited as *The Execution Amendment Act, 1967*.

CHAPTER 27

**An Act to insure
Payments to Producers of Farm Products**

*Assented to March 22nd, 1967
Session Prorogued June 15th, 1967*

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. In this Act,Interpre-
tation

- (a) "board" means a board established under this Act;
- (b) "dealer" means a person engaged in the business of buying farm products from producers or in selling farm products on behalf of producers;
- (c) "farm product" means such animals, milk, cream or cheese or such classes thereof as are designated in the regulations;
- (d) "fund" means a fund established under this Act;
- (e) "Minister" means the Minister of Agriculture and Food;
- (f) "producer" means a person who produces a farm product and includes such marketing boards under *The Milk Act, 1965* as are designated in the regulations; ^{1965, c. 72}
- (g) "regulations" means regulations made under this Act.

2.—(1) The Lieutenant Governor in Council may establish a fund for any class of producers under this Act and, where a fund is established, shall constitute a board to administer the fund and designate the name by which the board shall be known. ^{Funds and boards}

(2) The Lieutenant Governor in Council may appoint the members of a board and fix the remuneration of members who are not employed in the public service of Ontario. ^{Appoint-ments and remuneration}

Dissolution (3) The Lieutenant Governor in Council may dissolve a board on such terms and conditions as he deems proper and may provide for the disposition of its assets and any fund administered by it.

Milk Commission may be a board (4) The Lieutenant Governor in Council may designate The Milk Commission of Ontario under subsection 1 as a board constituted for the purposes of this Act and, when so designated, The Milk Commission of Ontario shall be deemed for the purposes of this Act other than subsections 5 and 6, to be a board constituted under subsection 1.

Incorporation (5) Every board shall be a corporation without share capital responsible to the Minister.

R.S.O. 1960, c. 71 does not apply (6) *The Corporations Act* does not apply to a board.

Officers and servants 1961-62, c. 121 (7) Such officers and servants may be appointed or transferred under *The Public Service Act, 1961-62* as are deemed necessary from time to time for the proper conduct of the affairs of boards.

Experts (8) A board may engage persons other than those referred to in subsection 7 to provide professional, technical or other assistance to or on behalf of the board.

Immunity of members (9) No member of a board or member of the staff thereof is personally liable for anything done by it or by him in good faith under the authority or purporting to be under the authority of this Act.

Application for payment from fund **3.** Where a farm product is sold by or on behalf of a producer and,

(a) the dealer has not paid the producer the price of the farm product within fifteen days of the time the payment became due; or

(b) the whole or any part of the dealer's assets has been placed in the hands of a trustee for distribution under the *Bankruptcy Act* (Canada) or *The Bulk Sales Act*,

R.S.C. 1952, c. 14
R.S.O. 1960, c. 43

the producer may apply to the board that administers the fund for the farm product claiming payment from such fund.

Functions of a board **4.**—(1) It is the function of a board and it has power,

(a) to administer its fund;

(b) to investigate all claims made to it under this Act and to determine the extent of their validity;

(c)

- (c) to grant or refuse the payment of claims or any part thereof and determine the amounts and manner of payment;
- (d) to recover any moneys to which it is entitled under this Act by suit in a court of competent jurisdiction or otherwise.

(2) Where a producer has received a payment from a fund and receives a payment from or on behalf of the dealer in full or partial satisfaction of the same debt for which payment from the fund was made, the producer shall pay to the board the lesser of,

Refund where payment received twice

- (a) the moneys that he received from or on behalf of the dealer; or
- (b) the moneys that he received from the fund.

(3) Where an amount is paid out of a fund, the board administering the fund is subrogated for the amount of the payment to the right of the person to whom such amount is paid and may maintain an action in the name of the board or in the name of such person against any other person or persons to enforce such right.

Subrogation

5.—(1) All moneys to which a board is entitled shall be paid into the fund administered by it.

Payments into fund

(2) The expenses of a board, other than for the remuneration of its officers and servants who are employed in the public service of Ontario, shall be paid by the board out of the fund administered by it.

Payments out of fund

(3) If, at any time, the amount standing to the credit of a fund is insufficient for the purpose of making payments for claims under this Act, the Lieutenant Governor in Council may authorize the Treasurer of Ontario to advance out of the Consolidated Revenue Fund to the board that administers the fund such sums as are necessary to meet the deficit on such terms and conditions as the Lieutenant Governor in Council directs.

Advances to funds

(4) A board may pay into the Consolidated Revenue Fund any surplus moneys in its fund that are not necessary for the current requirements of the board, and section 24 of *The Financial Administration Act* applies thereto.

Surplus

R.S.O. 1960, c. 142

(5) The accounts and financial transactions of a board shall be audited annually by the Provincial Auditor, and a report of the audit shall be made to the board and to the Minister.

Audit

Annual
report

6.—(1) Every board shall make an annual report of its affairs to the Minister.

Tabling

(2) The Minister shall submit the annual report to the Lieutenant Governor in Council and shall then lay the report before the Legislative Assembly if it is in session or, if not, at the next ensuing session.

Failure
to pay
fees

1965, c. 72

7. Failure to pay a fee prescribed in the regulations shall be grounds for the suspension or revocation of or refusal to issue or renew any licence under *The Milk Act, 1965*.

Regulations

8. The Lieutenant Governor in Council may make regulations,

- (a) designating farm products for the purposes of clause *c* of section 1;
- (b) designating marketing boards under *The Milk Act, 1965* as producers for the purposes of clause *f* of section 1;
- (c) exempting any class or classes of dealers from the application of this Act;
- (d) prescribing by-laws for regulating the government of boards and the conduct of their affairs, but any board may make by-laws not inconsistent with this Act or with the regulations;
- (e) requiring dealers to pay fees to a board and prescribing the amounts and the times and manner of payment thereof;
- (f) providing procedures for the determination and payment of claims including the grounds upon which a board may pay or refuse to pay claims;
- (g) limiting the amount that may be paid out of a fund,
 - (i) to any producer or class thereof, or
 - (ii) respecting any dealer or class thereof;
- (h) prescribing forms and providing for their use;
- (i) respecting any matter necessary or advisable to carry out effectively the intent and purpose of this Act.

9. This Act comes into force on the day it receives Royal ^{Commence-}
Assent._{ment}

10. This Act may be cited as *The Farm Products Payments* ^{Short title}
Act, 1967.

CHAPTER 28

An Act to amend The Fire Departments Act

Assented to June 15th, 1967
Session Prorogued June 15th, 1967

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Section 7 of *The Fire Departments Act*, as amended by R.S.O. 1960, section 5 of *The Fire Departments Amendment Act, 1964*, is ^{c. 145, s. 7,} amended further amended by adding thereto the following subsection:

- (8) Where a party, municipality, trade union or full-time fire fighter has failed to comply with any of the terms of the decision of an arbitrator or arbitration board, any party, municipality, trade union or full-time fire fighter affected by the decision may, after the expiration of thirty days from the date of the delivery of the decision or the date provided in the decision for compliance, whichever is later, file in the office of the Registrar of the Supreme Court a copy of the decision, exclusive of the reasons therefor, in the form prescribed by the regulations, whereupon the decision shall be entered in the same way as a judgment or order of that court and is enforceable as such. ^{Enforcement of decisions}

2. This Act comes into force on the day it receives Royal Assent. ^{Commencement}

3. This Act may be cited as *The Fire Departments Amendment Act, 1967*. ^{Short title}

CHAPTER 29

An Act to amend The Forestry Act

Assented to March 22nd, 1967
Session Prorogued June 15th, 1967

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Section 1 of *The Forestry Act* is amended by relettering R.S.O. 1960, c. 153, s. 1, amended clause *a* as clause *aa* and by adding thereto the following clause:

(a) "forestry purposes" includes the production of wood and wood products, provision of proper environmental conditions for wild life, protection against floods and erosion, recreation, and protection and production of water supplies.

2. Subsection 1 of section 2 of *The Forestry Act* is repealed. R.S.O. 1960, c. 153, s. 2, subs. 1, repealed

3. This Act comes into force on the day it receives Royal Assent. Commencement

4. This Act may be cited as *The Forestry Amendment Act*, Short title 1967.

CHAPTER 30

**An Act to amend
The Game and Fish Act, 1961-62**

*Assented to June 15th, 1967
Session Prorogued June 15th, 1967*

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

- 1.** Subsection 3 of section 6 of *The Game and Fish Act*, 1961-62, c. 48, s. 6, 1961-62, as enacted by section 1 of *The Game and Fish Amendment Act*, 1962-63, is repealed and the following substituted therefor: subs. 3 (1962-63, c. 48, s. 1), re-enacted
- (3) The Minister or the Minister of Public Works may enter into agreements with the owners of lands respecting the management of the lands for the purposes mentioned in subsection 1, and such agreements may transfer to Her Majesty in right of Ontario the hunting and fishing rights in the lands and may authorize Her Majesty to carry out habitat improvement work, protective measures, stocking programmes, fencing, erection of signs and any other management practice. Management agreements
- (4) An agreement entered into under subsection 3 may be registered in the proper registry or land titles office, and thereupon such agreement is binding upon every subsequent owner and mortgagee of the lands during the term of the agreement. Registration of agreements
- 2.** Subsection 8 of section 34 of *The Game and Fish Act*, 1961-62, c. 48, s. 34, 1961-62 is repealed and the following substituted therefor: subs. 8, re-enacted
- (8) The holder of a licence of a class designated by the regulations shall wear in a conspicuous place on his person a badge clearly showing the number of the licence. Wearing of badge
- 3.** Section 83 of *The Game and Fish Act*, 1961-62 is amended by adding thereto the following paragraph: 1961-62, c. 48, s. 83, amended

4a. designating classes of licences for the purposes of subsection 8 of section 34.

Commence-
ment

4. This Act comes into force on the day it receives Royal Assent.

Short title

5. This Act may be cited as *The Game and Fish Amendment Act, 1967*.

CHAPTER 31

An Act to amend The General Welfare Assistance Act

*Assented to March 22nd, 1967
Session Prorogued June 15th, 1967*

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) Clause *a* of section 1 of *The General Welfare Assistance Act* is repealed and the following substituted therefor: R.S.O. 1960,
c. 164, s. 1,
cl. a,
re-enacted

(a) “applicant” means a person who applies or on whose behalf an application is made for assistance.

(2) The said section 1 is amended by adding thereto the following clauses: R.S.O. 1960,
c. 164, s. 1,
amended

(aa) “assistance” means assistance of a class provided under this Act and the regulations;

.

(da) “municipality” means a city, separated town, town, village, township or improvement district, and, where the council of a county has appointed a municipal welfare administrator under subsection 3 of section 5, means the county together with any municipality that forms part of the county for the purpose of the administration of assistance;

(db) “recipient” means a person to whom assistance is provided.

2. Section 2 of *The General Welfare Assistance Act* is repealed. R.S.O. 1960,
c. 164, s. 2,
repealed

3. Section 5 of *The General Welfare Assistance Act* is repealed and the following substituted therefor: R.S.O. 1960,
c. 164, s. 5,
re-enacted

Appoint-
ment of
municipal
welfare
adminis-
trator

5.—(1) The council of a municipality may, with the approval of the Minister, appoint a municipal welfare administrator.

Duties of
municipal
welfare
adminis-
trator

(2) The municipal welfare administrator shall receive applications for assistance and shall determine the eligibility of each applicant for assistance, and, where the applicant is eligible, shall determine the amount of the assistance and direct provision thereof, and he may from time to time vary any amount so determined.

County
adminis-
tration

(3) Instead of the municipalities that are within a county for municipal purposes administering assistance independently of one another, the council of the county may, with the approval of the Minister, appoint a municipal welfare administrator to administer assistance in all such municipalities, except that any such municipality that has a population of more than 5,000 according to its last revised assessment roll may, by agreement with the county and with the approval of the Minister, appoint a municipal welfare administrator to administer assistance in that municipality independently of the county.

Idem

(4) Any municipality within a county but not forming part of the county for municipal purposes may, with the approval of the council of the county and the Minister, form part of the county for the purpose of the administration of assistance.

R.S.O. 1960,
c. 164, s. 7
(1962-63,
c. 53, s. 4),
re-enacted

4. Section 7 of *The General Welfare Assistance Act*, as re-enacted by section 4 of *The General Welfare Assistance Amendment Act, 1962-63*, is repealed and the following substituted therefor:

Duty of
municipal-
ities
to provide
assistance

7.—(1) Subject to section 7a, a municipality shall provide assistance in accordance with the regulations to any person in need who resides in the municipality and who is eligible for such assistance.

Idem

(2) Subject to section 7a, a municipality may provide assistance in accordance with the regulations to any other person who resides in the municipality and who is eligible for such assistance.

R.S.O. 1960,
c. 164, s. 7a
(1962-63,
c. 53, s. 4),
subs. 1,
re-enacted

5. Subsection 1 of section 7a of *The General Welfare Assistance Act*, as enacted by section 4 of *The General Welfare Assistance Amendment Act, 1962-63*, is repealed and the following substituted therefor:

(1) The Province,

Duty of
Province
to provide
assistance

(a) shall provide assistance in accordance with the regulations to any person in need who resides in territory without municipal organization and who is eligible for such assistance; and

(b) may provide assistance to such other eligible persons in need as the regulations prescribe.

6. *The General Welfare Assistance Act* is amended by adding thereto the following sections: R.S.O. 1960,
c. 164,
amended

7b.—(1) There may be paid to any class of municipality prescribed by the regulations out of moneys appropriated therefor by the Legislature grants and subsidies for any of the purposes of this Act in such amounts and under such conditions as the regulations prescribe. Provincial grants and subsidies to municipalities

(2) There may be paid to any class of municipality prescribed by the regulations and to district welfare administration boards established under *The District Welfare Administration Boards Act, 1962-63* out of moneys appropriated therefor by the Legislature subsidies for the costs of the administration of welfare services as defined in that Act, or of assistance, as the case may be, in such amounts and under such conditions as the regulations prescribe. Provincial subsidies for costs of administration 1962-63, c. 37

7c. Subject to cases of emergency as provided for in the regulations, assistance shall be provided only after the receipt by the municipal welfare administrator or the regional welfare administrator, as the case may be, of an application therefor in the prescribed form. Applications in prescribed form required

7.—(1) Clause *a* of section 9 of *The General Welfare Assistance Act* is amended by striking out "thereof" in the third line and inserting in lieu thereof "or cost thereof and providing for contributions to or reimbursement of sums expended therefor and prescribing the maximum amounts or percentages thereof", so that the clause shall read as follows: R.S.O. 1960,
c. 164, s. 9,
cl. a,
amended

(a) prescribing classes of assistance and the items to be included in any such class and the manner of computing the amount or cost thereof and providing for contributions to or reimbursement of sums expended therefor and prescribing the maximum amounts or percentages thereof.

R.S.O. 1960,
c. 164, s. 9,
cl. c,
amended

(2) Clause *c* of the said section 9 is amended by striking out "pay" in the second line and inserting in lieu thereof "provide", so that the clause shall read as follows:

- (c) defining residence for the purposes of establishing eligibility for assistance, liability to provide assistance, a right to a contribution to the cost of assistance or a right to reimbursement of the whole or any part of the cost of assistance, or for any other purposes of this Act and prescribing the circumstances in which any such definition is applicable.

R.S.O. 1960,
c. 164, s. 9,
cl. d
(1962-63,
c. 53, s. 5),
amended

(3) Clause *d* of the said section 9, as re-enacted by section 5 of *The General Welfare Assistance Amendment Act, 1962-63*, is amended by striking out "pay" in the third line and inserting in lieu thereof "provide", so that the clause shall read as follows:

- (d) supplementing the liabilities mentioned in section 7 or 7a, prescribing the circumstances under which there is a liability to provide assistance, a right to a contribution or a right to reimbursement and providing procedures therefor and for determining the maximum amounts or percentages thereof.

R.S.O. 1960,
c. 164, s. 9,
cl. j,
amended

(4) Clause *j* of the said section 9 is amended by striking out "paid" in the third line and inserting in lieu thereof "provided or while assistance is being provided", so that the clause shall read as follows:

- (j) prescribing the material or proof of any fact, including evidence under oath, that is to be furnished before assistance is provided or while assistance is being provided.

R.S.O. 1960,
c. 164, s. 9,
cl. k,
re-enacted

(5) Clause *k* of the said section 9 is repealed and the following substituted therefor:

- (k) prescribing the manner in which and the intervals at which assistance is to be provided.

R.S.O. 1960,
c. 164, s. 9,
amended

(6) The said section 9 is amended by adding thereto the following clauses:

- (ba) defining persons in need or prescribing classes of such persons;

.

- (da) prescribing classes of municipalities to which grants or subsidies may be paid by the Province;

(db)

(db) prescribing classes of grants and subsidies from the Province, the methods of determining the amounts of any grant or subsidy, providing for the manner in which and the intervals at which payments shall be made, for the suspension or withholding of the grants and subsidies or any part thereof and for making any deductions from any such grant or subsidy;

.

(ia) providing for the making of investigations for the purposes of this Act of applicants for or recipients of assistance.

8.—(1) Subsection 4 of section 10 of *The General Welfare Assistance Act* is repealed and the following substituted therefor: R.S.O. 1960, c. 164, s. 10, subs. 4, re-enacted

(4) The council of a band that is approved for the purposes of this Act shall provide, in accordance with the regulations, assistance to the members thereof who are persons in need and who reside on the reserve of the band and who are eligible for assistance and may provide assistance to other persons in need who reside on the reserve and who are eligible for assistance if the council of the band approves the provision of assistance to such persons. Duty of council of bands to provide assistance

(2) The said section 10 is amended by adding thereto the following subsection: R.S.O. 1960, c. 164, s. 10, amended

(7) There may be paid to the council of a band that is approved for the purposes of this Act, out of moneys appropriated therefor by the Legislature, grants and subsidies for any of the purposes of this Act in such amounts and under such conditions as the regulations prescribe. Provincial grants and subsidies to councils of bands

9. Section 11 of *The General Welfare Assistance Act*, as amended by section 6 of *The General Welfare Assistance Amendment Act, 1962-63*, is repealed. R.S.O. 1960, c. 164, s. 11, repealed

10. This Act comes into force on the day it receives Royal Assent. Commencement

11. This Act may be cited as *The General Welfare Assistance Amendment Act, 1967*. Short title

CHAPTER 32

An Act respecting the Village of Hagersville

Assented to June 15th, 1967
Session Prorogued June 15th, 1967

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. The council of The Corporation of the Village of Hagersville may pass a by-law, without obtaining the approval of the Ontario Municipal Board, providing for the issue of a debenture or debentures of the Corporation in a principal amount not exceeding \$104,500, payable in not more than twenty years, for the purpose of paying for the construction of sanitary sewers and watermains as set forth in the Schedule hereto. ^{Debenture by-law authorized}

2. Sections 55, 56, 57 and 58 of *The Ontario Municipal Board Act* apply in respect of a by-law passed under section 1 and the debenture or debentures to be issued thereunder. ^{Application of R.S.O. 1960, c. 274}

3. For the purposes of every Act, the Ontario Municipal Board shall be deemed to have issued an order under paragraph 52 of subsection 1 of section 379 of *The Municipal Act* and section 64 of *The Ontario Municipal Board Act* authorizing The Corporation of the Village of Hagersville to proceed with the undertaking referred to in section 1 and authorizing The Corporation of the Village of Hagersville to issue a debenture or debentures under section 1. ^{By-law deemed approved by O.M.B. R.S.O. 1960, cc. 249, 274}

4. Notwithstanding that in the by-law authorizing the construction of the works set forth in the Schedule hereto there was no provision for imposing, with the approval of the Ontario Municipal Board, upon owners or occupants of land who derive or will or may derive a benefit from the works a sewer rate or a water works rate sufficient to pay for the whole or a portion or percentage of the capital cost of the works, The Corporation of the Village of Hagersville may, with the approval of the Ontario Municipal Board, by by-law provide for the imposition of a sewer rate and water works rate in respect of the capital cost of the works set forth in the Schedule hereto, and the provisions of section 380 of *The Municipal Act* ^{Sewer rate and water works rate R.S.O. 1960, c. 249}

apply

apply *mutatis mutandis*, and the Ontario Municipal Board has jurisdiction on any application for any approval in respect of such works under such section 380.

Commence-
ment

5. This Act comes into force on the day it receives Royal Assent.

Short title

6. This Act may be cited as *The Village of Hagersville Act, 1967*.

SCHEDULE

CONSTRUCTION OF SANITARY SEWERS

Street	From	To	Length	Pipe Size	No. of Services	Estimated Cost
King St....	Hunter St..	430' east of Hunter St.....	430 ft.	8 in.	9	\$ 5,600.00
King St....	Parkview Rd.....	850' west of Park- view Rd.....	850 ft.	10 in.	7	\$12,300.00
King St....	Parkview Rd.....	60' west of the East Village limit as designated on the south of King St.	800 ft.	12 in.	10	\$10,300.00
Parkview Rd.....	King St....	1566' west of King St. as measured from the S.S.L. of King St.....	1600 ft.	14 in.	1	\$30,300.00
TOTAL ESTIMATED COST.....						<u>\$58,500.00</u>

CONSTRUCTION OF WATERMAINS

Street	From	To	Length	Pipe Size	No. of Services	Estimated Cost
King St....	Hunter St..	430' east of Hunter St.....	400 ft.	6 in.	9	\$ 4,100.00
King St....	430' east of Hunter St..	60' west of the East Village limit as designated on the south side of King St.....	1780 ft.	8 in.	17	\$19,700.00
Parkview Rd.....	Hunter St..	King St.....	1730 ft.	8 in.	1	\$22,200.00
TOTAL ESTIMATED COST.....						<u>\$46,000.00</u>

CHAPTER 33

An Act to establish the Health Insurance Registration Board

Assented to June 15th, 1967
Session Prorogued June 15th, 1967

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. In this Act,

Interpre-
tation

- (a) "Board" means the Health Insurance Registration Board;
- (b) "Registrar" means the Registrar for Health Insurance.

2. The Minister of Health is responsible for the administration of this Act.

Administra-
tion

3.—(1) The Health Insurance Registration Board is established, consisting of,

Health
Insurance
Registration
Board

- (a) the Deputy Minister of Health, who shall be chairman of the Board;
- (b) the chairman of the Ontario Hospital Services Commission, who shall be vice-chairman of the Board; and
- (c) the Executive Director of the Medical Services Insurance Division of the Department of Health.

(2) It is the function of the Board and it has power,

Functions
of Board

- (a) to establish and administer a system to provide for the enrolment and entitlement of persons to coverage for insured services under *The Hospital Services Commission Act* and *The Medical Services Insurance Act, 1965*, including the collection of premiums and the determination of eligibility;

R.S.O. 1960.
c. 176
1965, c. 70

(b)

- R.S.O. 1960,
c. 176
1965, c. 70
- (b) to maintain a central registry and records for insured persons under *The Hospital Services Commission Act* and *The Medical Services Insurance Act, 1965*; and
- (c) to perform such other duties as are assigned to it by any Act.
- Power to contract and sue
- (3) The Board may contract and may sue and be sued in its own name, and the members thereof are not personally liable upon any contract made by the Board.
- Seal
- (4) The Board may adopt a seal.
- Registrar
- 4.** There shall be a Registrar for Health Insurance appointed by the Lieutenant Governor in Council, who shall be the chief executive officer of the Board, and who shall perform such duties as are assigned to him by any Act, under the direction and control of the Board.
- Employees
- 5.** Such officers and employees as are deemed necessary to carry out the duties of the Board shall be appointed under *The Public Service Act, 1961-62*.
- 1961-62,
c. 121
- Inspections
- 6.—(1)** Any person designated in writing by the Registrar may at any time enter the premises of an employer of a mandatory group or a collector under *The Hospital Services Commission Act* or *The Medical Services Insurance Act, 1965* and inspect the books of account, payroll records and other records for the purpose of obtaining information relating to the membership of the group.
- Access for inspection
- (2) Every person, when requested to do so by a person designated under subsection 1, shall produce and permit inspection of the accounts and records and supply extracts therefrom.
- Obstruction of inspector
- (3) No person shall hinder or obstruct a person designated under subsection 1 in the performance of his duties or refuse to permit him to carry out his duties or refuse to furnish him with information or furnish him with false information.
- Offence
- (4) Any person who contravenes this section is guilty of an offence and on summary conviction is liable to a fine of not more than \$1,000.
- Moneys
- 7.** The moneys required for the purposes of the Board shall, until the 31st day of March, 1968, be paid out of the Consolidated Revenue Fund, and thereafter shall be paid out of the moneys appropriated therefor by the Legislature.

- 8.** The accounts and financial transactions of the Board ^{Audit} shall be audited annually by the Provincial Auditor.
- 9.** This Act comes into force on a day to be named by the ^{Commence-}
Lieutenant Governor by his proclamation.
- 10.** This Act may be cited as *The Health Insurance Regis-* ^{Short title}
tration Board Act, 1967.

CHAPTER 34

An Act to amend The Highway Improvement Act

*Assented to June 15th, 1967
Session Prorogued June 15th, 1967*

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) Subsection 1 of section 22 of *The Highway Improvement Act*, as re-enacted by subsection 1 of section 4 of *The Highway Improvement Amendment Act, 1962-63*, is amended by striking out “payable in such period as the Minister approves but not exceeding twenty years from the time or times when the debentures are issued” in the twentieth, twenty-first and twenty-second lines, so that the subsection shall read as follows:

- (1) Where it is deemed by the Minister that a highway, Connecting links, extensions
- (a) that is under the jurisdiction and control of a city, town or village; or
 - (b) that is in a city, town or village and under the control of the county; or
 - (c) that was under the jurisdiction of the Department but has reverted or been transferred to a township and is an essential and direct connection between parts of the King's Highway,

should be constructed as a connecting link between parts of the King's Highway or as an extension of the King's Highway, the Lieutenant Governor in Council may designate such highway as a connecting link or as an extension, as the case may be, to be constructed by the city, town, village, township or county, and the council of the city, town, village, township or county may pass by-laws for issuing and may issue debentures under *The Municipal Act* for an amount sufficient to pay the municipality's

R.S.O. 1960,
c. 249

share of the cost of the construction of the highway, but, in the case of a city, town, village or township, it is not necessary for the council to obtain the assent of the electors to any such by-laws for the issue of debentures or to observe the formalities in relation thereto prescribed by *The Municipal Act*.

R.S.O. 1960,
c. 171, s. 22,
subs. 6
(1962-63,
c. 55, s. 4,
subs. 4),
cls. a-c,
re-enacted

(2) Clauses *a*, *b* and *c* of subsection 6 of the said section 22, as re-enacted by subsection 4 of section 4 of *The Highway Improvement Amendment Act, 1962-63*, are repealed and the following substituted therefor:

- (a) where the highway is in a town, not being a separated town, having a population of not more than 2,500 or in a village or township having a population of not more than 2,500, a sum equal to the cost of the construction of the highway and of the maintenance of the roadway;
- (b) where the highway is in a town, not being a separated town, having a population of more than 2,500 or in a village or township having a population of more than 2,500, a sum equal to 90 per cent of the cost of the construction of the highway and of the maintenance of the roadway; and
- (c) where the highway is in a city or separated town, a sum equal to 75 per cent of the cost of the construction of the highway.

R.S.O. 1960,
c. 171, s. 22,
subs. 8
(1962-63,
c. 55, s. 4,
subs. 6),
amended

(3) Subsection 8 of the said section 22, as re-enacted by subsection 6 of section 4 of *The Highway Improvement Amendment Act, 1962-63*, is amended by striking out "or additional widths of roadways" in the third and fourth lines, so that the subsection, exclusive of the clauses, shall read as follows:

Idem,
additional
roadways

- (8) An agreement under subsection 3, 4 or 5 may provide for the construction and maintenance or for the construction, as the case may be, of roadways necessary to permit the proper interchange of traffic at inter-sections of the highway designated under subsection 1 with any other highway, and in that case the agreement may provide that a proportion of the cost of the construction and maintenance or construction, as the case may be, of the work shall be paid out of the moneys appropriated therefor by the Legislature and that the remainder shall be borne and paid by the city, town, village, township or county, but the proportion to be paid out of the moneys appropriated therefor by the Legislature shall not exceed,

.

2. Section 27 of *The Highway Improvement Act* is repealed and the following substituted therefor:

R.S.O. 1960,
c. 171, s. 27,
re-enacted

- 27.—(1) The Minister may construct, maintain and operate such works as he deems necessary or expedient for the purposes of this Part, including rest, service and other areas for the use of persons using the highway, and he and any person, including a municipality or local board thereof, may enter into agreements with respect to the construction, maintenance or operation of any of such works.
- (2) The Lieutenant Governor in Council may make regulations prohibiting or regulating the use of any rest, service or other area or any class or classes thereof constructed, maintained or operated under subsection 1, but no such regulation shall affect the operation of any agreement entered into by the Crown as represented by the Minister with respect to a service area except to the extent that the other party to the agreement consents thereto.
- (3) Every person who contravenes any provision of a regulation made under subsection 2 is guilty of an offence and on summary conviction is liable to a fine of not less than \$5 and not more than \$50.
- (4) The Minister and any municipality may enter into agreements for the construction, maintenance or operation of any part of the King's Highway located within the municipality to a higher standard than the Minister deems necessary or expedient for the purposes of this Part.

Construction of works

Regulations

Offence

Agreements for construction, etc., of highway to higher standard

3. Section 59 of *The Highway Improvement Act*, as amended by section 9 of *The Highway Improvement Amendment Act, 1962-63*, is repealed and the following substituted therefor:

R.S.O. 1960,
c. 171, s. 59,
re-enacted

- 59.—(1) A local municipality that is not separated from the county and the county or the suburban roads commission may enter into an agreement in writing providing for the construction, widening or maintenance of the whole or any part of any county or suburban road in the local municipality, or for the construction or maintenance of special works along or across such road.
- (2) The agreement shall specify the party that is to do the work and the manner in which and the time or times at which the other party is to pay its share of

Agreement between local municipality and county for extra work

Either party may do work; consent of Minister

the expenditure made by the party doing the work, but no work shall be done until the agreement has been approved in writing by the Minister.

Acquisition
of land
by local
municipality

R.S.O. 1960,
c. 249

- (3) Where the agreement provides that the land required for the widening of the road is to be acquired by the local municipality, the local municipality, notwithstanding section 414 of *The Municipal Act*, may pass by-laws for widening the road and acquiring by purchase or otherwise or expropriating such land, and the provisions of *The Municipal Act* as to the acquiring, occupying and taking of land for municipal purposes apply to the acquiring, occupying or taking of land under any such by-law.

Transfer
to county

- (4) The local municipality shall convey the land so acquired to the county, and thereupon the land becomes a part of the road and is included in the county road system and, where the road has been designated and approved as a suburban road under Part VIII, the land becomes part of the suburban road.

Apportion-
ment of
cost of
construction

- (5) The agreement shall provide the proportion or proportions in which the cost of the work or parts thereof is or are to be borne by the respective parties, but need not require that the cost of all parts be shared or that the cost sharing of various parts of the work be in the same proportion, provided that the local municipality shall be responsible for the entire cost of,

(a) installing sanitary sewers except to the extent that they replace existing facilities;

(b) maintaining sanitary sewers;

(c) extra capacity in storm sewers required for drainage from land other than land within the right-of-way of the road or the road as widened and which was not accommodated on the road prior to the agreement; and

(d) maintaining sidewalks.

Failure
to agree

- (6) Where the local municipality and the county or the suburban roads commission are unable to agree upon a term or condition of an agreement authorized by this section or where either the local municipality and the county or the suburban roads commission refuses

to enter into such an agreement, the Minister may prescribe such term or condition or may require such an agreement to be entered into, and such agreement may be enforced in the same manner as an agreement executed by the local municipality and by the county or the suburban roads commission.

- (7) The local municipality may pass by-laws to raise ^{Debentures for local municipality's share} by debentures such sum as may be necessary to meet its share of the cost under an agreement entered into under this section, and it is not necessary to obtain the assent of the electors to any such by-law or to observe the other formalities in relation thereto prescribed by *The Municipal Act*, or such share may be ^{R.S.O. 1960, c. 249, 223} assessed under *The Local Improvement Act* according to the report of an engineer.

- (8) Where the Minister has approved an agreement ^{Subsidy to local municipality} under this section, there may be included in the statement of expenditures on roads under the jurisdiction of the local municipality, submitted to the Minister under this Act for the purpose of determining the grant payable to the local municipality out of moneys appropriated therefor by the Legislature, those costs incurred by the local municipality under the agreement that, if incurred by the local municipality in respect of roads under its jurisdiction and control, could be included in such statement.

- (9) Where the agreement provides that the pavement ^{Remedy over} or a part thereof is to be maintained and kept in repair by the local municipality and the local municipality makes default in so doing and the county or the suburban roads commission becomes liable under section 443 of *The Municipal Act* for damage suffered ^{R.S.O. 1960, c. 249} by or occasioned to any person in consequence of such default, the county or the suburban roads commission is entitled to the remedy over against the local municipality provided for by section 450 of *The Municipal Act*.

4.—(1) Subsection 3 of section 71 of *The Highway Improvement Act*, as amended by subsection 1 of section 3 of *The Highway Improvement Amendment Act, 1964*, is repealed and ^{R.S.O. 1960, c. 171, s. 71, subs. 3, re-enacted} the following substituted therefor:

- (3) The amount to be provided by the city or separated town in any year shall not exceed the proceeds of a rate of one-half mill on the dollar of the value of the rateable property of the city or separated town ^{Limit of contributions by city or town}

according

according to the assessment roll on which the rate of taxation for the preceding year was levied as adjusted by the Minister, unless in any year by agreement with the county council the council of the city or separated town by by-law appropriates for work on suburban roads a sum not exceeding the proceeds of a rate of two mills on the dollar of the value of such rateable property as adjusted by the Minister, but such by-law shall not be passed until the county council has appropriated an equal amount for the like purposes to be expended in the same year.

R.S.O. 1960,
c. 171, s. 71,
subs. 4
(1964,
c. 37, s. 3,
subs. 2),
repealed

(2) Subsection 4 of the said section 71, as enacted by subsection 2 of section 3 of *The Highway Improvement Amendment Act, 1964*, is repealed.

R.S.O. 1960,
c. 171, s. 78,
subs. 3,
re-enacted

5. Subsection 3 of section 78 of *The Highway Improvement Act* is repealed and the following substituted therefor:

Roads in
Indian
reserves

(3) The Minister may arrange with the Government of Canada for the appointment of a road superintendent to supervise the construction and maintenance, in accordance with the requirements of the Minister, of the roads in any township or part of a township constituting an Indian reserve, and, where such an arrangement has been made, the Government of Canada or, with the approval of the Government of Canada, the Band Council of the reserve may apply under section 79 for the subsidy authorized by this Part, and this Part, except section 75, applies *mutatis mutandis* thereto.

R.S.O. 1960,
c. 171, s. 91^a
(1962-63,
c. 55, s. 17),
subs. 1, cl. b,
re-enacted

6. Clause *b* of subsection 1 of section 91^a of *The Highway Improvement Act*, as enacted by section 17 of *The Highway Improvement Amendment Act, 1962-63*, is repealed and the following substituted therefor:

(b) "subway" means those parts of the rapid transit system of the Toronto Transit Commission known as,

(i) the Bloor-Danforth Subway, and

(ii) the extension of the Yonge Street Subway from Eglinton Avenue to Sheppard Avenue.

R.S.O. 1960,
c. 171, s. 92,
re-enacted

7. Section 92 of *The Highway Improvement Act* is repealed and the following substituted therefor:

92. Subject to the approval of the Minister and the Board, a municipality may by by-law designate any road under the jurisdiction of the council of the municipality as a controlled-access road.

8.—(1) This Act, except section 4, comes into force on the day it receives Royal Assent.

(2) Section 4 comes into force on the 1st day of January, 1968.

9. This Act may be cited as *The Highway Improvement Amendment Act, 1967*.

CHAPTER 35

An Act to amend The Highway Traffic Act

Assented to April 26th, 1967
Session Prorogued June 15th, 1967

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Subsection 5 of section 8 of *The Highway Traffic Act*, R.S.O. 1960, c. 172, s. 8, as re-enacted by section 3 of *The Highway Traffic Amendment Act, 1966*, is repealed and the following substituted therefor: subs. 5 (1966, c. 64, s. 3), re-enacted

(5) A motorcycle while being driven on a highway shall have attached to and exposed on the back thereof a number plate on motorcycle number plate furnished by the Department showing in plain figures the number of the permit of such motorcycle issued for the current year or any part thereof and so fixed that the number is plainly visible from the rear of the motorcycle.

2. Subsection 13 of section 33 of *The Highway Traffic Act* R.S.O. 1960, c. 172, s. 33, is repealed and the following substituted therefor: subs. 13, re-enacted

(13) A volunteer fire fighter under *The Fire Departments Act* may carry on the left front fender of his motor vehicle a lamp not exceeding 4 inches in diameter displaying an amber and a white flashing light showing the letters "V.F.F.", which lamp shall be illuminated only when such motor vehicle is proceeding to a fire or other emergency, and no other motor vehicle shall carry any such lamp. Vehicles of volunteer fire fighters R.S.O. 1960, c. 145

3.—(1) Subsection 2 of section 35 of *The Highway Traffic Act* is repealed and the following substituted therefor: R.S.O. 1960, c. 172, s. 35, subs. 2, re-enacted

(2) Every motorcycle when being operated on a highway shall be equipped with at least two braking systems each with a separate means of application with one effective on the front wheel and one effective on the rear wheel. Motorcycle

(2) Subsections 4 and 5 of the said section 35 are repealed and the following substituted therefor: R.S.O. 1960, c. 172, s. 35, subs. 4, 5, re-enacted

Condition
of brakes

- (4) All such brakes and braking systems shall be maintained in good working order and shall conform to the regulations made under this section.

Inspection

- (5) Any constable or any officer appointed for carrying out the provisions of this Act may at any time inspect or cause an inspection to be made of the brakes and braking systems on any vehicle on the highway, and may, if the brakes or braking systems do not conform to the regulations made under this section, require the driver of the vehicle to proceed forthwith to make or have such brakes and braking systems made to comply with such regulations.

R.S.O. 1960,
c. 172, s. 38*a*
(1966,
c. 64, s. 6),
re-enacted

4. Section 38*a* of *The Highway Traffic Act*, as enacted by section 6 of *The Highway Traffic Amendment Act, 1966*, is repealed and the following substituted therefor:

Tire
regulations

38*a*.—(1) The Lieutenant Governor in Council may make regulations,

- (a) prescribing the standards and specifications of tires to be used on vehicles or any class or classes thereof;
- (b) providing for and requiring the identification and marking of tires;
- (c) prohibiting the sale of tires or any type thereof that do not comply with the standards and specifications therefor prescribed by the regulations and that are not marked in accordance with the regulations;
- (d) prohibiting the use of any type of tire on a highway during any period of the year and designating such period.

Codes

- (2) Any regulation may adopt by reference, in whole or in part, with such changes as the Lieutenant Governor in Council considers necessary, any code, and may require compliance with any code that is so adopted.

R.S.O. 1960,
c. 172, s. 42,
subs. 1,
amended

5. Subsection 1 of section 42 of *The Highway Traffic Act* is amended by inserting after "cut-out" in the fourth line "straight exhaust, gutted muffler, hollywood muffler", so that the subsection shall read as follows:

- (1) Every motor vehicle shall be equipped with a muffler ^{Muffler} in good working order and in constant operation to prevent excessive or unusual noise and excessive smoke, and no person shall use a muffler cut-out, straight exhaust, gutted muffler, hollywood muffler, by-pass or similar device upon a motor vehicle.

6. Section 49 of *The Highway Traffic Act*, as amended by ^{R.S.O. 1960, c. 172, s. 49, re-enacted} section 9 of *The Highway Traffic Amendment Act, 1966*, is repealed and the following substituted therefor:

- 49.—(1) Except as provided in subsection 2, every ^{Certificate of mechanical fitness} dealer in used motor vehicles, before he enters into a contract to sell a used motor vehicle, shall give to the purchaser a certificate of mechanical fitness on the form prescribed by the regulations that is duly completed and signed by the dealer stating that the motor vehicle is in a safe condition to be operated on a highway.
- (2) When a dealer in used motor vehicles sells a used ^{Sale of motor vehicle for which a certificate cannot be given} motor vehicle that cannot be certified as mechanically fit as provided in subsection 1, he shall,
- (a) give to the purchaser a bill of sale therefor on the form prescribed by the regulations; and
- (b) forthwith remove the number plates from the motor vehicle and forward them, together with the permit for the motor vehicle and a copy of the bill of sale, to the Registrar.
- (3) A used motor vehicle sold under subsection 2 may be ^{Registration of motor vehicle sold without certificate of mechanical fitness} registered under Part II only upon the production of the bill of sale together with a certificate of mechanical fitness on a form prescribed by the regulations and duly completed and signed by a person holding a subsisting certificate of qualification as a motor mechanic under *The Apprenticeship and Tradesmen's Qualification Act, 1964*. ^{1964, c. 3}
- (4) The Lieutenant Governor in Council may make ^{Forms} regulations prescribing the form and content of the bill of sale and certificates of mechanical fitness required under this section.
- (5) Subsections 1 and 2 do not apply when a motor ^{Application where sale to another dealer} vehicle is sold by a dealer to another dealer.

Penalty for
contraven-
tion of
subs. 1 or 2

- (6) Every dealer who contravenes any provision of subsection 1 or 2 is guilty of an offence and on summary conviction is liable to a fine of not less than \$50 and not more than \$300.

Penalty for
false state-
ment in
certificate

- (7) Every person who makes a false statement in a certificate of mechanical fitness is guilty of an offence and on summary conviction is liable to a fine of not less than \$50 and not more than \$300.

R.S.O. 1960,
c. 172, s. 52,
subs. 2a
(1966,
c. 64, s. 11,
subs. 2),
amended

7. Subsection 2a of section 52 of *The Highway Traffic Act*, as re-enacted by subsection 2 of section 11 of *The Highway Traffic Amendment Act, 1966*, is amended by striking out "1967" in the seventh line and inserting in lieu thereof "1968", so that the subsection shall read as follows:

Moving of
three-axle
semi-trailers
or pole-
trailers
registered
prior to
July 1, 1961

- (2a) Notwithstanding paragraph 6 of subsection 2, a semi-trailer or a pole-trailer referred to in such paragraph 6 that was registered under this Act prior to the 1st day of July, 1961, subject to section 6, may be moved with a gross weight not exceeding 40,000 pounds on a Class A Highway until and including the 30th day of June, 1968.

R.S.O. 1960,
c. 172, s. 54,
subs. 1,
amended

8. Subsection 1 of section 54 of *The Highway Traffic Act* is amended by inserting after "vehicle" in the second line "combination of vehicles" and by inserting after "vehicle" in the fourth line "or combination of vehicles", so that the subsection shall read as follows:

Prohibition
as to
carrying
load in
excess of
permit

R.S.O. 1960,
c. 337

- (1) Subject to subsection 1 of section 16 of *The Public Vehicles Act*, no motor vehicle, combination of vehicles or trailer having a permit issued under this Act, the fee for which is based upon the weight of the vehicle or combination of vehicles and load, shall at any time when on a highway carry a load in excess of that for which the permit was issued as stated upon the permit, and for which the fee therefor was estimated.

R.S.O. 1960,
c. 172, s. 59,
subs. 1,
amended

9.—(1) Subsection 1 of section 59 of *The Highway Traffic Act*, as amended by subsection 1 of section 12 of *The Highway Traffic Amendment Act, 1961-62*, subsection 1 of section 13 of *The Highway Traffic Amendment Act, 1962-63*, subsection 1 of section 7 of *The Highway Traffic Amendment Act, 1964* and subsections 1 and 2 of section 10 of *The Highway Traffic Amendment Act, 1965*, is further amended by adding thereto the following clause:

- (c) the maximum speed posted for the driving of motor vehicles in a construction zone designated under subsection 11a.

(2) The said section 59 is amended by adding thereto the following subsections: R.S.O. 1960,
c. 172, s. 59,
amended

(11a) The Lieutenant Governor in Council may designate any part of the King's Highway as a construction zone, and every construction zone shall be marked by signs in accordance with the regulations. Construction
zones

(11b) Signs posting the maximum speeds at which motor vehicles may be driven in a construction zone may be erected in accordance with the regulations by an official of the Department of Highways. Speed limit
signs in
construction
zones

10. Subsection 5 of section 67a of *The Highway Traffic Act*, as enacted by section 8 of *The Highway Traffic Amendment Act, 1964*, is repealed. R.S.O. 1960,
c. 172, s. 67a
(1964,
c. 38, s. 8),
subs. 5,
repealed

11. *The Highway Traffic Act* is amended by adding thereto the following section: R.S.O. 1960,
c. 172,
amended

80a. No person shall drive on a highway a motor vehicle, other than a commercial motor vehicle, that is drawing more than one vehicle. Only one
vehicle to
be drawn on
highway

12. *The Highway Traffic Act* is amended by adding thereto the following section: R.S.O. 1960,
c. 172,
amended

100b.—(1) Where an aircraft has made an emergency landing on a highway, the pilot, if he is physically capable, shall, within a reasonable time, remove it or cause it to be removed from the roadway. Removal of
aircraft
from road-
way after
emergency
landing

(2) No aircraft shall be driven or drawn along a highway unless the aircraft and the movement thereof comply with the provisions of this Act respecting vehicles and the movement thereof on a highway. Aircraft
and move-
ment along
highway
subject to
Act

13. *The Highway Traffic Act* is amended by adding thereto the following section: R.S.O. 1960,
c. 172,
amended

145a. It is the duty of every legally qualified medical practitioner to report to the Registrar the name, address and diagnosis of every person coming under his diagnosis, treatment, care or charge who is suffering from a condition that in the opinion of the medical practitioner is such as to make it dangerous for such person to operate a motor vehicle. Report of
medical
practitioner

14. Subsection 1 of section 148 of *The Highway Traffic Act* is repealed and the following substituted therefor: R.S.O. 1960,
c. 172, s. 148,
subs. 1,
re-enacted

Vehicle
owner and
driver
liable for
penalties

- (1) Subject to subsection 2, the owner of a vehicle shall incur the penalties provided for any contravention of this Act or of any regulation made by the Lieutenant Governor in Council or of any municipal by-law for regulating traffic approved by the Department unless at the time of the contravention the vehicle was in the possession of some person other than the owner or his chauffeur without the owner's consent, and the driver or operator of a vehicle not being the owner shall also incur the penalties provided for any such contravention.

Commence-
ment

15.—(1) This Act, except sections 2, 3, 5, 6, 11 and 12, comes into force on the day it receives Royal Assent.

Idem

(2) Sections 2, 3, 5, 6, 11 and 12 come into force on the 1st day of July, 1967.

Short title

16. This Act may be cited as *The Highway Traffic Amendment Act, 1967*.

CHAPTER 36

An Act to amend The Hospital Services Commission Act

Assented to, except ss. 3 and 5 (2), June 15th, 1967

Sections 3 and 5 (2) assented to April 26th, 1967

Session Prorogued June 15th, 1967

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Section 1 of *The Hospital Services Commission Act*, as ^{R.S.O. 1960,} amended by section 1 of *The Hospital Services Commission* ^{c. 176, s. 1,} *Amendment Act, 1965*, is further amended by relettering clause *a* as clause *aa* and by adding thereto the following clause:

- (a) "Board" means the Health Insurance Registration Board established under *The Health Insurance* ^{1967, c. 33} *Registration Board Act, 1967*.

2.—(1) Clause *a* of subsection 1 of section 14 of *The Hos-* ^{R.S.O. 1960,} *pital Services Commission Act* is repealed and the following ^{c. 176, s. 14,} substituted therefor: ^{subs. 1, cl. *a*,} ^{re-enacted}

- (a) to administer the plan of hospital care insurance established by the regulations of the Commission;

- (aa) to govern the standards and inspect the facilities for care, treatment and services in hospitals and nursing homes approved to participate in the plan of hospital care insurance.

(2) Clause *i* of subsection 1 of the said section 14 is amended ^{R.S.O. 1960,} by inserting after "records" in the second line "of hospitals ^{c. 176, s. 14,} and", so that the clause shall read as follows: ^{subs. 1, cl. *i*,} ^{amended}

- (i) to appoint inspectors with the duty and power to inspect and examine books, accounts and records of hospitals and of employers and collectors for the purpose of obtaining information related to the hospital insurance plan.

R.S.O. 1960,
c. 176,
amended

3. *The Hospital Services Commission Act* is amended by adding thereto the following sections:

Grants to
schools of
nursing, etc.

14a.—(1) The Commission may make grants to schools approved by the Commission for the education of nurses, technicians and other related personnel for work in hospitals and other health facilities.

Idem

(2) Grants made under subsection 1 may be paid directly to a school or to the board of a hospital under whose supervision the school is operated.

Loans to
schools of
nursing, etc.

14b.—(1) The Commission may make loans to schools approved by the Commission for the education of nurses, technicians and other related personnel for work in hospitals and other health facilities.

Idem

(2) Loans made under subsection 1 may be paid directly to a school or to the board of a hospital under whose supervision the school is operated.

By-laws of
schools of
nursing

14c.—(1) A school of nursing shall pass by-laws respecting such matters as are prescribed by the regulations and submit them to the Commission in accordance with the regulations.

Idem

(2) A school of nursing shall amend or revise its by-laws and submit them to the Commission in accordance with the regulations.

Approval

(3) No by-law or amendment to or revision of a by-law of a school of nursing has any force or effect until it is approved by the Lieutenant Governor in Council upon the recommendation of the Commission to the Minister.

R.S.O. 1960,
c. 176,
amended

4. *The Hospital Services Commission Act* is amended by adding thereto the following section:

Function
of Board

14d.—(1) It is the function of the Board and it has power to determine eligibility and collect premiums for hospital care insurance and perform all functions necessary for the purpose and perform such other duties as are assigned to it by this Act or the regulations.

Premiums

(2) The Board shall pay the premiums collected by it for hospital care insurance into The Hospital Services Commission Fund.

5.—(1) Clauses *b*, *e*, *f* and *k* of subsection 1 of section 15 of *The Hospital Services Commission Act* are repealed.

R.S.O. 1960,
c. 176, s. 15,
subs. 1,
cls. *b*, *e*, *f*, *k*,
repealed

(2) Subsection 1 of the said section 15, as amended by section 1 of *The Hospital Services Commission Amendment Act, 1961-62*, is further amended by adding thereto the following clauses:

R.S.O. 1960,
c. 176, s. 15,
subs. 1,
amended

(*ma*) respecting grants under section 14*a* and prescribing classes of such grants and the methods of determining the amounts of such grants and providing for the manner and times of payment and the suspension and withholding of such grants and for the making of deductions from such grants;

(*mb*) respecting loans under section 14*b* and providing the terms and conditions upon which such loans may be made, the amounts thereof, and the manner and times of repayment of such loans;

(*mc*) prescribing the matters upon which by-laws are to be passed, amended or revised by schools of nursing under section 14*c* and providing for the submission of such by-laws, amendments or revisions, to the Commission.

(3) The said section 15 is amended by adding thereto the following subsection:

R.S.O. 1960,
c. 176, s. 15,
amended

(1*a*) The Board, subject to the approval of the Lieutenant Governor in Council, may make regulations,

Regulations

(*a*) providing for the insuring of persons and the payment of premiums, and prescribing the premiums that shall be paid by insured persons;

(*b*) designating classes of insured persons and prescribing the conditions for participation of any class;

(*c*) fixing municipal responsibility for a portion of the cost of insured services for recipients of public assistance, but the portion shall not exceed the rates established for municipal liability for indigents by *The Public Hospitals Act*;

R.S.O. 1960,
c. 322

(*d*) providing for compulsory participation in the plan of hospital care insurance by designated groups of persons ordinarily resident in Ontario;

(*e*)

- (e) regulating insurance contracts that provide hospital insurance benefits supplementary to those made available under this Act and the regulations;
- (f) respecting any matter considered necessary or desirable for carrying out the functions of the Board.

Commence-
ment

6.—(1) This Act, except sections 1, 2, 4 and subsections 1 and 3 of section 5, comes into force on the day it receives Royal Assent.

Idem

(2) Sections 1, 2, 4 and subsections 1 and 3 of section 5 come into force on a day to be named by the Lieutenant Governor by his proclamation.

Short title

7. This Act may be cited as *The Hospital Services Commission Amendment Act, 1967*.

CHAPTER 37

An Act to amend The Hotel Fire Safety Act

Assented to June 15th, 1967
Session Prorogued June 15th, 1967

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Clause *f* of section 1 of *The Hotel Fire Safety Act*, as re-enacted by subsection 1 of section 1 of *The Hotel Fire Safety Amendment Act, 1964*, is repealed and the following substituted therefor:

R.S.O. 1960,
c. 179, s. 1,
cl. *f*
(1964,
c. 41, s. 1,
subs. 1),
re-enacted

(*f*) “hotel” means an establishment that provides sleeping accommodation for the public and is licensed under *The Department of Tourism and Information Act, 1966* or *The Liquor Licence Act*.

1966, c. 44
R.S.O. 1960,
c. 218

2. This Act comes into force on the day it receives Royal Assent.

Commence-
ment

3. This Act may be cited as *The Hotel Fire Safety Amendment Act, 1967*.

Short title

CHAPTER 38

**An Act to amend
The Human Tissue Act, 1962-63**

*Assented to April 26th, 1967
Session Prorogued June 15th, 1967*

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. *The Human Tissue Act, 1962-63* is amended by adding thereto the following section: 1962-63,
c. 59,
amended

4a.—(1) Where a person who has not made a request to be a donor is, in the opinion of a duly qualified medical practitioner, incapable of making such a request and his death is imminent and inevitable, his spouse or, if none, any of his children of full age or, if none, either of his parents or, if none, any of his brothers or sisters, may authorize the removal after death of any specified part or parts from the body of the person by a duly qualified medical practitioner and their use for therapeutic purposes or for the purposes of medical education or research. Where
death
imminent
and
inevitable

(2) A coroner shall be notified before any part is removed from the body of a person under subsection 1. Notice to
coroner

2. Clause *b* of section 5 of *The Human Tissue Act, 1962-63* is amended by striking out “or 4” in the first line and inserting in lieu thereof “4 or 4a”, so that the clause shall read as follows: 1962-63,
c. 59, s. 5,
cl. b,
amended

(b) under section 2, 3, 4 or 4a is sufficient warrant for the removal of the specified part or parts of the body and the use thereof,

.

3.—(1) Subsection 2 of section 6 of *The Human Tissue Act, 1962-63* is amended by inserting after “4” in the first line “or 4a”, so that the subsection shall read as follows: 1962-63,
c. 59, s. 6,
subs. 2,
amended

Idem

- (2) An authority shall not be given under section 4 or 4a if the person empowered to give the authority has reason to believe that the deceased person would, if living, have objected thereto.

1962-63,
c. 59, s. 6,
subs. 3,
amended

- (2) Subsection 3 of the said section 6 is amended by striking out "or 4" in the first line and inserting in lieu thereof "4 or 4a", so that the subsection shall read as follows:

Idem

- (3) An authority shall not be given under section 2, 3, 4 or 4a if the person empowered to give the authority has reason to believe that an inquest may be required to be held on the body of the deceased.

Commence-
ment

- 4.** This Act comes into force on the day it receives Royal Assent.

Short title

- 5.** This Act may be cited as *The Human Tissue Amendment Act, 1967*.

CHAPTER 39

An Act to amend The Income Tax Act, 1961-62

*Assented to March 22nd, 1967
Session Prorogued June 15th, 1967*

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Section 2 of *The Income Tax Act, 1961-62*, as re-enacted ^{1961-62, c. 60, s. 2} by section 2 of *The Income Tax Amendment Act, 1961-62* ^{(1961-62, c. 61, s. 2), re-enacted} and amended by section 1 of *The Income Tax Amendment Act, 1966*, is repealed and the following substituted therefor:

2.—(1) An income tax shall be paid as hereinafter ^{Income tax on individuals} required for each taxation year by every individual, other than an individual to whom subsection 2 applies,

(a) who was resident in Ontario on the last day of the taxation year; or

(b) who, not being resident in Ontario on the last day of the taxation year, had income earned in the taxation year in Ontario as defined in clause *b* of subsection 4 of section 3.

(2) An income tax shall be paid as hereinafter required ^{Income tax on members of the Canadian Forces} for each taxation year by every individual who, during the taxation year, was a member of the Canadian Forces to whom section 4 applies.

(3) This section is applicable to the 1962 and subsequent ^{Application of s. 2} taxation years.

2. Clause *f* of subsection 3 of section 3 of *The Income Tax Act, 1961-62*, as enacted by subsection 1 of section 2 of *The Income Tax Amendment Act, 1966*, is repealed and the ^{1961-62, c. 60, s. 3, subs. 3, cl. f} following substituted therefor: ^{(1966, c. 69, s. 2, subs. 1), re-enacted}

(f) 28 per cent in respect of the 1967 and 1968 taxation years.

Commence-
ment

3. This Act comes into force on the day it receives Royal Assent.

Short title

4. This Act may be cited as *The Income Tax Amendment Act, 1967*.

CHAPTER 40

An Act to amend The Insurance Act

*Assented to April 26th, 1967
Session Prorogued June 15th, 1967*

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) Statutory condition 5 in section 111 of *The Insurance Act* is repealed and the following substituted therefor: R.S.O. 1960, c. 190, s. 111, stat. cond. 5, re-enacted

Termination

5.—(1) This contract may be terminated,

(a) by the insurer giving to the insured fifteen days' notice of termination by registered mail or five days' written notice of termination personally delivered;

(b) by the insured at any time on request.

(2) Where this contract is terminated by the insurer,

(a) the insurer shall refund the excess of premium actually paid by the insured over the *pro rata* premium for the expired time, but, in no event, shall the *pro rata* premium for the expired time be deemed to be less than any minimum retained premium specified; and

(b) the refund shall accompany the notice unless the premium is subject to adjustment or determination as to amount, in which case the refund shall be made as soon as practicable.

(3) Where this contract is terminated by the insured, the insurer shall refund as soon as practicable the excess of premium actually paid by the insured over the short rate premium for the expired time, but in no event shall the short rate premium for the expired time be deemed to be less than any minimum retained premium specified.

(4) The refund may be made by money, postal or express company money order or cheque payable at par.

(5) The fifteen days mentioned in clause *a* of subcondition 1 of this condition commences to run on the day following the receipt of the registered letter at the post office to which it is addressed.

(2) Statutory condition 11 in section 111 of *The Insurance Act*, as re-enacted by section 9 of *The Insurance Amendment Act, 1966*, is amended by striking out "independent" in the sixth line and inserting in lieu thereof "independently", so that the statutory condition shall read as follows: R.S.O. 1960, c. 190, s. 111, stat. cond. 11 (1966, c. 71, s. 9), amended

Appraisal

11. In the event of disagreement as to the value of the property insured, the property saved or the amount of the loss, those questions shall be determined by appraisal as provided under *The Insurance Act* before there can be any recovery under this contract whether the right to recover on the contract is disputed or not, and independently of all other questions. There shall be no right to an appraisal until a specific demand therefor is made in writing and until after proof of loss has been delivered.

R.S.O. 1960,
c. 190, s. 204
(1966,
c. 71, s. 11),
stat. cond. 9,
amended

2. Statutory condition 9 in section 204 of *The Insurance Act*, as re-enacted by section 11 of *The Insurance Amendment Act, 1966*, is amended by striking out "Ontario" in the third line and inserting in lieu thereof "the province", so that the statutory condition shall read as follows:

Notice

9. Any written notice to the insurer may be delivered at, or sent by registered mail to, the chief agency or head office of the insurer in the province. Written notice may be given to the insured named in this contract by letter personally delivered to him or by registered mail addressed to him at his latest post office address as notified to the insurer. In this condition, the expression "registered" means registered in or outside Canada.

R.S.O. 1960,
c. 190, s. 205
(1966,
c. 71, s. 11),
subs. 1,
amended

3. Subsection 1 of section 205 of *The Insurance Act*, as re-enacted by section 11 of *The Insurance Amendment Act, 1966*, is amended by striking out "225, 226a" in the third line and inserting in lieu thereof "226a, 226b", so that the subsection shall read as follows:

Exceptions
respecting
statutory
conditions

(1) Except as otherwise provided in the contract, the statutory conditions set forth in section 204 do not apply to insurance coming within section 226a, 226b or 226c.

R.S.O. 1960,
c. 190, s. 222
(1966,
c. 71, s. 11),
subs. 4,
cl. a,
amended

4. Clause *a* of subsection 4 of section 222 of *The Insurance Act*, as re-enacted by section 11 of *The Insurance Amendment Act, 1966*, is amended by striking out "insurer" in the third line and inserting in lieu thereof "insured", so that the clause shall read as follows:

(a) an assignment, waiver, surrender, cancellation or discharge of the contract, or of any interest therein or of the proceeds thereof, made by the insured after the happening of the event giving rise to a claim under the contract.

R.S.O. 1960,
c. 190,
s. 226*d*
(1966,
c. 71, s. 11),
subs. 1,
amended

5. Subsection 1 of section 226*d* of *The Insurance Act*, as enacted by section 11 of *The Insurance Amendment Act, 1966*, is amended by striking out "or 226c" in the tenth and eleventh lines and inserting in lieu thereof "and 226c, or either of them", so that the subsection shall read as follows:

Demand
for
particulars
of insurance

(1) Where a person is injured or killed in an accident in Ontario involving an automobile, that person or his personal representative may serve,

(a)

- (a) a demand by registered mail on the owner of the automobile; or
- (b) a demand by registered mail on the insurer of the owner of the automobile,

requiring the owner or insurer, as the case may be, to state in writing to the person making the demand whether or not that owner has insurance of the type mentioned in sections 226*b* and 226*c*, or either of them, and, where the demand is made under clause *a*, requiring the owner, if he has such insurance, to state the name of the insurer.

6. Subsection 4 of section 226*k* of *The Insurance Act*, as enacted by section 11 of *The Insurance Amendment Act, 1966*, is amended by striking out “subsection 2” in the second line and inserting in lieu thereof “subsection 3”, so that the first three lines of the subsection shall read as follows:

R.S.O. 1960,
c. 190,
s. 226*k*
(1966,
c. 71, s. 11),
subs. 4,
amended

- (4) Where the interest of an insured in any recovery exceeds that referred to in subsection 3 and the insured and the insurer cannot agree as to,

Application
to S.C.O.

.

7. This Act comes into force on a day to be named by the Lieutenant Governor by his proclamation.

Commence-
ment

8. This Act may be cited as *The Insurance Amendment Act, 1967*.

Short title

CHAPTER 41

An Act to amend The Judicature Act

*Assented to March 22nd, 1967
Session Prorogued June 15th, 1967*

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Subsection 1 of section 5 of *The Judicature Act*, as amended by section 1 of *The Judicature Amendment Act, 1965*, is further amended by striking out “twenty-four” in the amendment of 1965 and inserting in lieu thereof “twenty-six”, so that the subsection shall read as follows:

R.S.O. 1960,
c. 197, s. 5,
subs. 1,
amended

- (1) The High Court shall consist of a chief justice who shall be the president thereof and who shall be called the Chief Justice of the High Court, and twenty-six other judges.

High Court
of Justice

2. Subsection 12 of section 105 of *The Judicature Act*, as amended by section 4 of *The Judicature Amendment Act, 1966*, is repealed and the following substituted therefor:

R.S.O. 1960,
c. 197, s. 105,
subs. 12,
re-enacted

- (12) The Provincial Auditor shall examine and report upon the accounts and financial transactions of the Official Guardian.

Audit

3. *The Judicature Act* is amended by adding thereto the following section:

R.S.O. 1960,
c. 197,
amended

- 110a. The Provincial Auditor shall examine and report upon the accounts and financial transactions of The Accountant of the Supreme Court of Ontario.

Audit

4. This Act comes into force on the day it receives Royal Assent.

Commence-
ment

5. This Act may be cited as *The Judicature Amendment Act, 1967*.

Short title

CHAPTER 42

An Act to amend The Jurors Act

Assented to March 22nd, 1967
Session Prorogued June 15th, 1967

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Subsection 4 of section 45 of *The Jurors Act* is repealed.

R.S.O. 1960,
c. 199, s. 45,
subs. 4,
repealed
- 2.—(1) Subsection 4 of section 49 of *The Jurors Act* is repealed and the following substituted therefor:

R.S.O. 1960,
c. 199, s. 49,
subs. 4,
re-enacted
- (4) The judge presiding at the sittings may release such jurors as, in his opinion, will not be immediately required, and the release may be for the remainder of the sittings or until the judge directs that they be summoned to re-attend.

Release
of jurors
during
sittings
- (2) Subsection 5 of the said section 49 is amended by inserting after “jurors” in the fourth line “or so many of them as the judge directs”, so that the subsection shall read as follows:

R.S.O. 1960,
c. 199, s. 49,
subs. 5,
amended
- (5) Where jurors have been released under this section, the trial of any person charged with an indictable offence shall not be commenced at the sittings of the court unless such jurors or so many of them as the judge directs have been summoned to re-attend at such sittings on or before the date upon which any such trial is commenced, or unless a new panel of jurors has been summoned to attend such sittings returnable on or before such date.

Trial of
person
charged
with
indictable
offence
3. Section 69 of *The Jurors Act*, as amended by section 11 of *The Jurors Amendment Act, 1955*, is further amended by adding thereto the following subsection:

R.S.O. 1960,
c. 199, s. 69,
amended
- (2) Where, after a grand jury is empanelled, a juror becomes unable to carry out his duties because of death, sickness or for any other reason, he shall be replaced in the same manner as a talesman is added under subsection 1.

Where
juror
becomes
incapable

R.S.O. 1960,
c. 199, s. 70,
amended

4. Section 70 of *The Jurors Act* is amended by striking out “and empanelled as a petit juror upon the general precept for” in the first and second lines and inserting in lieu thereof “to attend as a petit juror at”, so that the first six lines of the section shall read as follows:

Empanelling
petit jury
at the trial

70. The name of every person summoned to attend as a petit juror at a sittings of the Supreme Court, the court of general sessions of the peace, or county court, with his place of residence and addition, shall be written distinctly by the sheriff on a card or paper, as nearly as may be of the form and size following, viz.:

.

R.S.O. 1960,
c. 199, s. 72,
re-enacted

5. Section 72 of *The Jurors Act* is repealed and the following substituted therefor:

Selection
of juries
in advance

72. A jury may be selected in accordance with section 71 at any time before the trial of an issue or assessment of damages directed by the judge presiding at the sittings and shall attend for service upon the summons of the sheriff.

Short title

6. This Act may be cited as *The Jurors Amendment Act, 1967*.

CHAPTER 43

**An Act to amend
The Juvenile and Family Courts Act**

*Assented to March 22nd, 1967
Session Prorogued June 15th, 1967*

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. *The Juvenile and Family Courts Act* is amended by adding thereto the following section: R.S.O. 1960,
c. 201,
amended

- 5b.—(1) The Lieutenant Governor in Council may appoint a chief judge of juvenile and family courts, herein referred to as the chief judge, who shall have all the powers of a judge of a juvenile and family court. Appoint-
ment of
chief judge
- (2) The Attorney General may designate a judge of a juvenile and family court to act in the place of the chief judge for all purposes during his illness or absence. Deputy
- (3) The salary of the chief judge shall be paid out of the moneys appropriated therefor by the Legislature. Salary
- (4) The chief judge shall have general supervisory powers over arranging the sittings of juvenile and family courts and assigning judges for hearings, as circumstances require. Supervision
over
dispatch of
business
- (5) In the arrangement of sittings of juvenile and family courts and the assignment of judges thereto, regard shall be had to, Assignment
of judges
- (a) the desirability of rotating the judges within each county or district; and
- (b) the greater volume of judicial work in certain of the counties and districts.

R.S.O. 1960,
c. 201, s. 20,
subs. 1,
amended

2. Subsection 1 of section 20 of *The Juvenile and Family Courts Act* is amended by inserting after "Court" in the second line "or a surrogate court", so that the subsection shall read as follows:

Supreme
Court and
surrogate
court
alimony and
maintenance
orders

(1) A person entitled to alimony or maintenance under a judgment or order of the Supreme Court or a surrogate court may file a copy of the judgment or order in the juvenile and family court having jurisdiction where the person ordered to pay the alimony or maintenance resides, and, when so filed, it shall be enforced in the same manner as an order made in that court under *The Deserted Wives' and Children's Maintenance Act*.

R.S.O. 1960,
c. 105

3. Section 21 of *The Juvenile and Family Courts Act* is amended by adding thereto the following clause:

(aa) prescribing additional duties of the chief judge.

Commence-
ment

4. This Act comes into force on the day it receives Royal Assent.

Short title

5. This Act may be cited as *The Juvenile and Family Courts Amendment Act, 1967*.

CHAPTER 44

An Act to amend The Land Titles Act

Assented to, except s. 2, June 15th, 1967

Section 2 assented to March 22nd, 1967

Session Prorogued June 15th, 1967

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. *The Land Titles Act* is amended by adding thereto the following section: R.S.O. 1960,
c. 204,
amended

3a.—(1) Where a boundary of a county, city, separated town or provisional judicial district forming the boundary of a land titles division is altered by statute or under an order of the Ontario Municipal Board, the Lieutenant Governor in Council may by regulation provide that the area affected by the alteration be or remain included in the land titles division. Land titles
division
boundaries
upon
annexation

(2) The Lieutenant Governor in Council may make regulations providing for the transfer of land titles records and documents relating to land included in a land titles division under subsection 1. Transfer
of records

2. Subsection 1 of section 42 of *The Land Titles Act* is amended by striking out “or” in the twentieth line and inserting in lieu thereof “of”. R.S.O. 1960,
c. 204, s. 42,
subs. 1,
amended

3. This Act comes into force on the day it receives Royal Assent. Commence-
ment

4. This Act may be cited as *The Land Titles Amendment Act, 1967*. Short title

CHAPTER 45

**An Act to provide Compensation for Injuries
received by Persons assisting Peace Officers**

*Assented to June 15th, 1967
Session Prorogued June 15th, 1967*

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. In this Act,

Interpre-
tation

- (a) "Board" means the Law Enforcement Compensation Board;
- (b) "dependant", in respect of a deceased victim, means such of the relatives of the victim as were wholly or partially dependent upon his income at the time of his death and includes a child of the victim born after his death;
- (c) "injury" means actual bodily harm and includes mental or nervous shock, and "injured" has a corresponding meaning;
- (d) "relative", in respect of a victim or offender, means his or her spouse, parent, grandparent, stepfather, stepmother, child, grandchild, brother, sister, half-brother, half-sister or spouse's parent;
- (e) "victim" means a person injured or killed in the circumstances set out in subsection 1 of section 3.

2.—(1) The Law Enforcement Compensation Board is established and shall be composed of not fewer than three and not more than five members who shall be appointed by the Lieutenant Governor in Council, one of whom shall be appointed as chairman.

(2) Such officers and employees of the Board as are deemed necessary shall be appointed under *The Public Service Act, 1961-62*, c. 121.

Quorum

(3) Two members of the Board constitute a quorum and are sufficient for the exercise of all the jurisdiction and powers of the Board.

Board a
corporation
R.S.O. 1960,
c. 71

(4) The Board is a corporation to which *The Corporations Act* does not apply.

Injuries
compensable

1953-54,
c. 51 (Can.)

3.—(1) Where any person is injured or killed by any act or omission of any other person occurring in or resulting directly from assisting a peace officer, as defined in the *Criminal Code* (Canada), in arresting any person or in preserving the peace, the Board may, on application therefor and after a hearing, make an order in its discretion exercised in accordance with this Act for the payment of compensation, and the decision of the Board is final and conclusive for all purposes.

Persons
compensable

(2) An application may be made by and compensation may be paid to,

- (a) the victim;
- (b) a person who is responsible for the maintenance of the victim and who suffers pecuniary loss or expenses as a result of the injury;
- (c) where the death of the victim has resulted, the victim's dependants or any of them.

Compensa-
tion

4.—(1) Compensation may be awarded by the Board for,

- (a) expenses actually and reasonably incurred as a result of the victim's injury or death;
- (b) pecuniary loss to the victim as a result of total or partial incapacity for work;
- (c) pecuniary loss to dependants as a result of the victim's death;
- (d) pain and suffering;
- (e) other pecuniary loss resulting from the victim's injury and any expense that, in the opinion of the Board, it is reasonable to incur.

Exception
for relatives
of offender

(2) Clause *d* of subsection 1 does not apply in respect of compensation awarded to a relative of the offender or a member of the offender's household.

5. In determining whether to make an order for compensation and the amount thereof, the Board may have regard to all such circumstances as it considers relevant, including any behaviour of the victim that directly or indirectly contributed to his injury or death. Considerations of Board

6. An application for compensation shall be made within one year after the date of the death or injury but the Board may, in its discretion, extend the time for such further period as it deems just. Limitation period for application

7.—(1) An order for compensation may be made whether or not any person is prosecuted for or convicted of the offence giving rise to the injury or death but the Board may, of its own motion or upon the application of the Minister of Justice and Attorney General, adjourn its proceedings pending the outcome of a prosecution or intended prosecution. Compensation not dependent on a conviction

(2) An order for compensation does not affect the right of any person to recover from any other person by civil proceedings lawful damages in respect of the injury or death, but, where the Board has granted an order, the Board is subrogated to all the rights of the person in whose favour the order is granted in respect of the injury or death to the extent of the amount awarded in the order. Board subrogated

(3) Any money recovered by the Board under subsection 2 shall be paid into the Consolidated Revenue Fund. Disposition of money recovered

8. Where the applicant for compensation is a victim, he shall submit to such medical or physical examination as the Board requires. Medical examination

9.—(1) The Board may order compensation to be paid in a lump sum or in periodic payments as the Board thinks fit. Form of compensation

(2) Compensation ordered to be paid shall be paid out of the moneys appropriated therefor by the Legislature. Payment of compensation

10.—(1) The amount ordered by the Board to be paid in respect of any one occurrence shall not exceed, Maximum payments

(a) in the case of lump sum payments, a total of \$10,000;
or

(b) in the case of periodic payments, a total of \$500 per month.

Pro rata
distribution

(2) Where the total amounts of the claims as allowed by the Board in respect of any one occurrence exceed the amount prescribed by subsection 1, the amount prescribed shall be distributed *pro rata* in proportion to the amounts of the claims.

Procedures
on
application

11.—(1) Where an application is made to the Board, the Board shall fix a time and place for the hearing of the application and shall cause notice thereof to be given to the applicant, the offender where possible and to any other person appearing to the Board to have an interest in the application.

Public
hearings

(2) Every hearing of the Board shall be held in public.

Power to
take sworn
evidence
and
summon
witnesses

(3) For the purposes of a hearing under this Act, the Board,

(a) may administer oaths to witnesses and require them to give evidence under oath; and

(b) may require to have issued out of the Supreme Court a writ of subpoena *ad testificandum* or a writ of subpoena *duces tecum*, which the court may issue on praecipe, but no person shall be compelled under any such writ to produce any document that he would not be compellable to produce on the trial of an action.

Right to
counsel

(4) Any person appearing at a hearing of the Board is entitled to be represented by counsel.

Reasons

(5) The Board shall give written reasons for its decisions.

Publication
of evidence

12.—(1) The Board may make an order prohibiting the publication of any report or account of the whole or any part of the evidence at a hearing where the Board deems it necessary, but in making an order under this subsection the Board shall have regard to the desirability of permitting the public to be informed of the principles and nature of each case.

Offence

(2) Any person who publishes a report or account of any evidence at a hearing contrary to an order of the Board under subsection 1 is guilty of an offence and on summary conviction is liable to a fine of not more than \$2,000 or to imprisonment for a term of not more than one year, or to both.

Corporations

(3) Where a corporation is convicted of an offence under subsection 2, the maximum penalty that may be imposed upon the corporation is \$25,000 and not as provided therein.

13. The Board may, at any time, of its own motion or on the application of the offender or any person in whose favour an order is made, review the order and revoke, confirm or vary the order as the Board deems just in the circumstances.

<sup>Variation
of orders</sup>

14. The Lieutenant Governor in Council may make regulations,

^{Regulations}

- (a) prescribing rules of procedure in respect of applications to the Board and proceedings of the Board;
- (b) requiring the payment of fees in respect of any matter in the jurisdiction of the Board, including witness fees, and prescribing the amounts thereof;
- (c) prescribing forms for the purposes of this Act and providing for their use;
- (d) respecting any matter necessary or advisable to carry out effectively the intent and purpose of this Act.

15. This Act applies in respect of claims for compensation arising from an injury or death occurring after this Act comes into force.

<sup>Application
of Act</sup>

16. The moneys required for the purposes of this Act shall, until the 31st day of March, 1968, be paid out of the Consolidated Revenue Fund, and thereafter shall be paid out of the moneys appropriated therefor by the Legislature.

^{Moneys}

17. This Act comes into force on a day to be named by the Lieutenant Governor by his proclamation.

<sup>Commence-
ment</sup>

18. This Act may be cited as *The Law Enforcement Compensation Act, 1967*.

^{Short title}

CHAPTER 46

**An Act respecting the
Lewiston-Queenston Bridge**

*Assented to April 26th, 1967
Session Prorogued June 15th, 1967*

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. In this Act, “bridge” means the international bridge<sup>“bridge”
defined</sup> across the Niagara River between the Police Village of Queenston in Ontario and the Town of Lewiston in the State of New York, one of the United States of America, known as the Lewiston-Queenston Bridge, and includes land, centre span and all buildings, structures, erections and works forming part of the bridge or connected therewith, and appurtenances thereto.

2. The portion of the bridge in Ontario and the land and highway forming the approach to the bridge are exempt from<sup>Exemption
from
municipal
taxation</sup> taxation for municipal or school purposes, including local improvement rates.

3. There shall be paid out of the Consolidated Revenue^{Grant} Fund to The Corporation of the Township of Niagara the sum of \$80,000 in respect of the period of 1964 to 1967, both inclusive, and the sum of \$20,000 in the year 1968 and in each year thereafter to and including the year 1980.

4. This Act comes into force on the day it receives Royal<sup>Commence-
ment</sup> Assent.

5. This Act may be cited as *The Lewiston-Queenston Bridge*^{Short title} Act, 1967.

CHAPTER 47

**An Act to amend The Live Stock
and Live Stock Products Act**

*Assented to March 22nd, 1967
Session Prorogued June 15th, 1967*

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Subsection 1 of section 6 of *The Live Stock and Live Stock Products Act* is amended by adding thereto the following clause:

R.S.O. 1960,
c. 219, s. 6,
subs. 1,
amended

(na) regulating the production and sale of poultry and of eggs for the production of poultry.

2. This Act comes into force on the day it receives Royal Assent.

Commence-
ment

3. This Act may be cited as *The Live Stock and Live Stock Products Amendment Act, 1967*.

Short title

CHAPTER 48

An Act to amend The Live Stock Community Sales Act

Assented to, except ss. 2 (1) and 3, March 22nd, 1967

Sections 2 (1) and 3 assented to June 15th, 1967

Session Prorogued June 15th, 1967

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Clause *e* of section 1 of *The Live Stock Community Sales Act* is amended by inserting after "cattle" in the first line "goats", so that the clause shall read as follows:

R.S.O. 1960,
c. 221, s. 1,
cl. *e*,
amended

(*e*) "live stock" means cattle, goats, horses, sheep or swine, or the young thereof.

2.—(1) Clause *c* of section 2 of *The Live Stock Community Sales Act* is repealed and the following substituted therefor:

R.S.O. 1960,
c. 221, s. 2,
cl. *c*,
re-enacted

(*c*) a sale of pure bred live stock that is or is of a class that is designated by the regulations; or

.

(2) Clause *d* of the said section 2 is repealed and the following substituted therefor:

R.S.O. 1960,
c. 221, s. 2,
cl. *d*,
re-enacted

(*d*) a sale of cattle by a co-operative corporation to which Part V of *The Corporations Act* applies where,

R.S.O. 1960,
c. 71

- (i) one of the objects of the corporation is to operate sales of cattle on a consignment basis,
- (ii) at least three-quarters of the shareholders or members of the corporation are producers of cattle, and
- (iii) the corporation operates not more than four sales in any calendar year.

3. Section 13 of *The Live Stock Community Sales Act* is amended by adding thereto the following clause:

R.S.O. 1960,
c. 221, s. 13,
amended

(*ca*)

(ca) designating sales or classes of sales of pure bred live stock for the purpose of clause c of section 2.

Commence-
ment

4. This Act comes into force on a day to be named by the Lieutenant Governor by his proclamation.

Short title

5. This Act may be cited as *The Live Stock Community Sales Amendment Act, 1967.*

CHAPTER 49

**An Act to amend
The Loan and Trust Corporations Act**

*Assented to March 22nd, 1967
Session Prorogued June 15th, 1967*

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Clause *a* of section 1 of *The Loan and Trust Corporations Act* is repealed and the following substituted therefor: R.S.O. 1960,
c. 222, s. 1,
cl. *a*,
re-enacted

(*a*) “accountant” means a person who is a member of The Canadian Institute of Chartered Accountants or any other person who is an accountant and who, in either case, is acceptable to the Registrar as being competent to audit the accounts and transactions of corporations under this Act.

2. This Act comes into force on the day it receives Royal Assent. Commence-
ment

3. This Act may be cited as *The Loan and Trust Corporations Amendment Act, 1967*. Short title

CHAPTER 50

**An Act to amend
The Medical Services Insurance Act, 1965**

Assented to, except s. 7, June 15th, 1967

Section 7 assented to April 26th, 1967

Session Prorogued June 15th, 1967

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Section 1 of *The Medical Services Insurance Act, 1965*,^{1965, c. 70, s. 1, amended} as amended by section 1 of *The Medical Services Insurance Amendment Act, 1966*, is further amended by adding thereto the following clause:

(b) "Board" means the Health Insurance Registration Board established under *The Health Insurance Registration Board Act, 1967*, c. 33.

2. Subsection 6 of section 3 of *The Medical Services Insurance Act, 1965*, as amended by subsection 4 of section 3 of *The Medical Services Insurance Amendment Act, 1966*, is^{1965, c. 70, s. 3, subs. 6, re-enacted} repealed and the following substituted therefor:

(6) The Council shall investigate any complaints relative^{Reference to Council} to this Act that are referred to it by the Board or the Medical Services Insurance Division and all matters referred to it by the Minister, and shall make such recommendations as it deems advisable.

3. Section 6 of *The Medical Services Insurance Act, 1965*,^{1965, c. 70, s. 6, re-enacted} as amended by section 6 of *The Medical Services Insurance Amendment Act, 1966*, is repealed and the following substituted therefor:

6.—(1) The Board shall, in accordance with the regu-^{Provision of contracts}lations,

(a) provide standard medical services insurance contracts for persons of such categories as are designated by the regulations who qualify for total subsidy assistance and who apply therefor; and

(b)

- (b) provide standard medical services insurance contracts for persons of such categories as are designated by the regulations.

Idem

- (2) The Board shall provide standard contracts upon such terms and conditions as to contributions as the regulations provide for persons of such categories, other than those mentioned in subsection 1, as are designated by the regulations and who apply therefor.

Performance

- (3) The benefits secured by standard medical services insurance contracts shall be provided by the Medical Services Insurance Division.

1965,
c. 70, s. 7,
subs. 1,
amended

- 4.—(1) Subsection 1 of section 7 of *The Medical Services Insurance Act, 1965* is amended by striking out “Council” in the fifth line and inserting in lieu thereof “Board”, so that the subsection shall read as follows:

Assistance
in paying
premiums

- (1) Any person who is unable to continue payment of his medical services insurance subscriptions because of a lack of income due to unemployment, illness or disability may within the first thirty days of such default make application to the Board for assistance, during the period of unemployment, illness or disability, to continue his medical services insurance contract or towards the purchase of a standard contract.

1965,
c. 70, s. 7,
subs. 2,
re-enacted

- (2) Subsection 2 of the said section 7 is repealed and the following substituted therefor:

Reference
to Council

- (2) In determining the granting of relief under subsection 1, the Board may refer the matter to the Council which shall make such inquiries as it deems necessary and make a report to the Board with such recommendations as it deems advisable.

Granting
temporary
assistance

- (3) The Board may direct that an applicant under subsection 1 be relieved of the payment of the whole or any part of his premium during his unemployment, illness or disability.

Appeal to
Council

- (4) An applicant may appeal a decision of the Board under this section to the Council, and the decision of the Council is final and binding on the applicant and the Board but an applicant may make a further application or the Board may make a further decision when it is clear that material circumstances have changed.

5. Subsection 2 of section 16 of *The Medical Services Insurance Act, 1965*, as re-enacted by section 10 of *The Medical Services Insurance Amendment Act, 1966*, is amended by striking out "Medical Services Insurance Division" in the tenth line and inserting in lieu thereof "Board", so that the subsection shall read as follows:

- (2) Where a resident who is not a dependant or his dependent spouse ceases to be covered under a group medical services insurance contract after the expiration of an open enrolment period, such person may make application for a standard contract within thirty days of the date of termination of his group medical services insurance contract, which standard contract becomes effective on the date on which the application and payment of subscription are received by the Board.

6.—(1) Subsection 1 of section 17 of *The Medical Services Insurance Act, 1965*, as amended by subsection 1 of section 11 of *The Medical Services Insurance Amendment Act, 1966*, is further amended by striking out "A standard contract may be cancelled by the Medical Services Insurance Division only" in the first and second lines and in the amendment of 1966 and inserting in lieu thereof "A standard contract may be cancelled by the Board only", so that the subsection shall read as follows:

- (1) A standard contract may be cancelled by the Board only,
- (a) for misrepresentation or fraud as to a material fact;
 - (b) for non-payment of the subscription;
 - (c) where the covered person ceases to be a resident, in which event coverage terminates ninety days after the date of ceasing to be a resident; or
 - (d) for misuse of services for which benefits are provided.

(2) Subsection 2, and subsection 3 as amended by subsection 2 of section 11 of *The Medical Services Insurance Amendment Act, 1966*, of the said section 17 are repealed and the following substituted therefor:

- (2) The Board shall not cancel a contract under clause *a* or *d* of subsection 1 without giving each person covered under the contract an opportunity to be heard by the Council.

1965,
c. 70, s. 20
(1966,
c. 86, s. 13),
subs. 1,
amended

7. Subsection 1 of section 20 of *The Medical Services Insurance Act, 1965*, as re-enacted by section 13 of *The Medical Services Insurance Amendment Act, 1966*, is amended by striking out "day on which this section comes into force" in the third and fourth lines and inserting in lieu thereof "1st day of April, 1967", so that the subsection shall read as follows:

Benefits

- (1) Subject to subsections 2 and 4, the benefits under a standard contract during the period of two years commencing on the 1st day of April, 1967 shall be based upon 90 per cent of the Ontario Medical Association's schedule of fees in effect on that day, but, if during such period such schedule of fees is changed in respect of any ancillary or incidental matter or in respect of any new procedure and such changes are accepted by the Minister in accordance with the regulations, then, subject to subsections 2 and 4, the benefits under a standard contract during the remainder of such period shall be based upon 90 per cent of the schedule of fees as so changed and accepted.

1965,
c. 70, s. 28,
cl. c,
repealed

8.—(1) Clause *c* of section 28 of *The Medical Services Insurance Act, 1965* is repealed.

1965,
c. 70, s. 28,
cl. d,
re-enacted

(2) Clause *d* of the said section 28 is repealed and the following substituted therefor:

- (*d*) respecting recommendations by the Council to the Board or the Medical Services Insurance Division under section 3 and to the Board under sections 7 and 17.

1965,
c. 70, s. 28,
cls. g, h,
repealed

(3) Clause *g*, and clause *h* as amended by subsection 2 of section 17 of *The Medical Services Insurance Amendment Act, 1966*, of the said section 28 are repealed.

1965, c. 70,
amended

9. *The Medical Services Insurance Act, 1965* is amended by adding thereto the following section:

Regulations

28a. The Board, subject to the approval of the Lieutenant Governor in Council, may make regulations,

- (a) prescribing subscription rates;
- (b) designating the categories of persons mentioned in section 6 and regulating the provision by the Board of standard medical services insurance contracts for persons of the relevant designated categories and regulating the contribution by the Board for such persons;

(c)

- (c) prescribing procedures for notices and hearings under section 17;
- (d) respecting any matter considered necessary or desirable for carrying out the functions of the Board.

10.—(1) This Act, except section 7, comes into force on a ^{Commence-}ment day to be named by the Lieutenant Governor by his proclamation.

(2) Section 7 shall be deemed to have come into force on the ^{Idem} 1st day of April, 1967.

11. This Act may be cited as *The Medical Services Insurance* ^{Short title} *Amendment Act, 1967*.

CHAPTER 51

The Mental Health Act, 1967

*Assented to June 15th, 1967
Session Prorogued June 15th, 1967*

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. In this Act,

Interpre-
tation

- (a) "attending physician" means the physician to whom responsibility for the observation, care and treatment of a patient has been assigned;
- (b) "Department" means the Department of Health;
- (c) "Deputy Minister" means the Deputy Minister of Health;
- (d) "local board of health" has the same meaning as local board in *The Public Health Act*;
- (e) "medical officer of health" has the same meaning as in *The Public Health Act*;
- (f) "mental disorder" means any disease or disability of the mind;
- (g) "Minister" means the Minister of Health;
- (h) "officer-in-charge" means the officer who is responsible for the administration and management of a psychiatric facility;
- (i) "patient" means a person who is under observation, care and treatment in a psychiatric facility;
- (j) "physician" means a duly qualified medical practitioner;
- (k) "psychiatric facility" means a facility for the observation, care and treatment of persons suffering from mental disorder, and designated as such by the regulations;

R.S.O. 1960,
c. 321

(l)

- (l) "psychiatrist" means a physician who holds a specialist's certificate in psychiatry issued by The Royal College of Physicians and Surgeons of Canada or equivalent qualification acceptable to the Minister;
- (m) "regulations" means the regulations made under this Act;
- (n) "senior physician" means the physician responsible for the clinical services in a psychiatric facility. 1966, c. 87, s. 1, *amended*.

PART I

STANDARDS

- Application of Act** **2.** This Act applies to every psychiatric facility. 1966, c. 87, s. 2, *amended*.
- Conflict** **3.** Every psychiatric facility has power to carry on its undertaking as authorized by any Act, but, where the provisions of any Act conflict with the provisions of this Act or the regulations, the provisions of this Act and the regulations prevail. *New*.
- Advisory officers** **4.—(1)** The Minister may designate officers of the Department or appoint persons who shall advise and assist medical officers of health, local boards of health, hospitals and other bodies and persons in all matters pertaining to mental health and who shall have such other duties as are assigned to them by this Act or the regulations.
- Powers** **(2)** Any such officer or person may at any time, and shall be permitted so to do by the authorities thereat, visit and inspect any psychiatric facility, and in so doing may interview patients, examine books, records and other documents relating to patients, examine the condition of the psychiatric facility and its equipment, and inquire into the adequacy of its staff, the range of services provided and any other matter he deems relevant to the maintenance of standards of patient care. 1966, c. 87, s. 4, *amended*.
- Provincial aid** **5.** The Minister may pay psychiatric facilities provincial aid in such manner, in such amounts and under such conditions as are prescribed by the regulations. *New*.

PART II

HOSPITALIZATION

Where admission may be refused

- 6.** Notwithstanding this or any other Act, admission to a psychiatric facility may be refused where the immediate needs in the case of the proposed patient are such that hospitalization is not urgent or necessary. *New*.

7. Any person who is believed to be in need of the observation, care and treatment provided in a psychiatric facility may be admitted thereto as an informal patient upon the recommendation of a physician. *New.*

Admission
of informal
patients

8.—(1) Any person who,

Admission of
involuntary
patients

(a) suffers from mental disorder of a nature or degree so as to require hospitalization in the interests of his own safety or the safety of others; and

(b) is not suitable for admission as an informal patient,

may be admitted as an involuntary patient to a psychiatric facility upon application therefor in the prescribed form signed by a physician.

(2) It shall be stated and shown clearly that the physician signing the application personally examined the person who is the subject of the application and made due inquiry into all of the facts necessary for him to form a satisfactory opinion.

Contents of
application

(3) The physician signing the application shall also in the application state the facts upon which he has formed his opinion of the mental disorder, distinguishing the facts observed by him from the facts communicated to him by others, and shall note the date upon which the examination was made.

Idem

(4) Every such application shall be completed no later than seven days after the examination referred to therein, and no person shall be admitted to a psychiatric facility upon an application except within fourteen days of the date on which the application was completed.

Time
limits

(5) Such an application is sufficient authority,

Authority of
application

(a) to any person to convey the person who is the subject of the application to a psychiatric facility; and

(b) to the authorities thereof to admit and detain him therein for a period of not more than one month.
New.

9.—(1) Where information upon oath is brought before a justice of the peace that a person, within the limits of his jurisdiction,

Justice of
the peace's
order for
examination

(a)

- (a) is believed to be suffering from mental disorder; and
- (b) should be examined in the interest of his own safety or the safety of others,

the justice may, if he is satisfied that,

- (c) such examination is necessary; and
- (d) such examination can be arranged in no other way,

issue his order for examination in the prescribed form.

**Contents
of order**

(2) In every order under this section it shall be stated and shown clearly that the justice issuing the order made due inquiry into all of the facts necessary for him to form a satisfactory opinion.

Idem

(3) An order under this section may be directed to all or any constables or other peace officers of the locality within which the justice has jurisdiction and shall name or otherwise describe the person with respect to whom the order has been made.

**Authority
of order**

(4) An order under this section shall direct, and is sufficient authority for, any constable or other peace officer to whom it is addressed to take the person named or described therein to an appropriate place where he may be detained for medical examination. *New.*

**Action by
peace officer**

10. Where a constable or other peace officer observes a person,

- (a) apparently suffering from mental disorder; and
- (b) acting in a manner that in a normal person would be disorderly,

the officer may, if he is satisfied that,

- (c) the person should be examined in the interests of his own safety or the safety of others; and
- (d) the circumstances are such that to proceed under section 9 would be dangerous,

take the person to an appropriate place where he may be detained for medical examination. *New.*

11. An examination referred to in section 9 or 10 shall be conducted forthwith and, wherever practicable, the place of examination shall be a psychiatric or other health facility. *New.* Examination

12. An informal patient may, upon completion of the prescribed form, be continued as an involuntary patient, and in any such case section 8 applies *mutatis mutandis*. *New.* Informal patients may become involuntary patients

13.—(1) The period of detention of an involuntary patient may be extended upon the completion of a certificate of renewal in the prescribed form by the attending physician after personal examination. Certificate of renewal

(2) The attending physician shall not complete a certificate of renewal unless the patient, Conditions precedent to making of certificate of renewal

(a) suffers from mental disorder of a nature or degree so as to require further hospitalization in the interests of his own safety or the safety of others; and

(b) is not suitable to be continued as an informal patient.

(3) A certificate of renewal is authority to detain the patient as follows: Authority of certificates of renewal

1. First certificate—not more than two additional months.
2. Second certificate—not more than three additional months.
3. Third certificate—not more than six additional months.
4. Fourth certificate—not more than twelve additional months.
5. Each subsequent certificate—not more than twelve additional months.

(4) An involuntary patient whose authorized period of detention has expired shall be deemed to be an informal patient. Change of status, where period of detention has expired

(5) An involuntary patient whose authorized period of detention has not expired may be continued as an informal patient upon completion of the prescribed form by the attending physician. *New.* Idem, where period of detention has not expired

14.—(1) Where a judge or magistrate has reason to believe that a person who appears before him charged with or convicted of an offence suffers from mental disorder, the judge or magistrate may order the person to attend a psychiatric facility for examination. Judge's order for examination

Senior
physician's
report

(2) Where an examination is made under this section, the senior physician shall report in writing to the judge or magistrate as to the mental condition of the person.

Judge's
order for
treatment

(3) If the senior physician reports that the person examined needs treatment, the judge or magistrate may order the person to attend a psychiatric facility for treatment. *New.*

Judge's
order for
admission

15.—(1) Where a judge or magistrate has reason to believe that a person in custody who appears before him charged with an offence suffers from mental disorder, the judge or magistrate may, by order, remand that person for admission as a patient to a psychiatric facility for a period of not more than two months.

Senior
physician's
report

(2) Before the expiration of the time mentioned in such order, the senior physician shall report in writing to the judge or magistrate as to the mental condition of the person. *New.*

Condition
precedent
to judge's
order

16. A judge or magistrate shall not make an order under section 14 or 15 until he ascertains from the senior physician of a psychiatric facility that the services of the psychiatric facility are available to the person to be named in the order. *New.*

Contents of
senior
physician's
report

17. Notwithstanding this or any other Act or any regulation made under any other Act, the senior physician may report all or any part of the information compiled by the psychiatric facility to any person where, in the opinion of the senior physician, it is in the best interests of the person who is the subject of an order made under section 14 or 15. *New.*

Persons
detained
under
1953-54, c. 51
(Can.)

18. Any person who, pursuant to the *Criminal Code* (Canada), is,

(a) remanded to custody for observation; or

(b) detained under the authority of a warrant of the Lieutenant Governor,

may be admitted to, detained in, and discharged from a psychiatric facility in accordance with the law. *New.*

Communi-
cations to
and from
patients

19.—(1) Except as provided in this section, no communication written by a patient or sent to a patient shall be opened, examined or withheld, and its delivery shall not in any way be obstructed or delayed.

Where
communica-
tion may be
withheld

(2) Where the officer-in-charge or a person acting under his authority has reasonable and probable cause to believe,

(a)

(a) that the contents of a communication written by a patient would,

(i) be unreasonably offensive to the addressee, or

(ii) prejudice the best interests of the patient; or

(b) that the contents of a communication sent to a patient would,

(i) interfere with the treatment of the patient, or

(ii) cause the patient unnecessary distress,

the officer-in-charge or a person acting under his authority may open and examine the contents thereof and, if any condition mentioned in clause *a* or *b*, as the case may be, exists, may withhold such communication from delivery.

(3) Subsection 2 does not apply to a communication written ^{Exceptions} by a patient to, or appearing to be sent to a patient by,

(a) a barrister and solicitor;

(b) a member of a review board or advisory review board under this Act; or

(c) a member of the Assembly. *New.*

20.—(1) The officer-in-charge may, upon the advice of the ^{Leave of absence} attending physician, place a patient on leave of absence from the psychiatric facility for a designated period of not more than three months, if the intention is that the patient shall return thereto.

(2) Leave of absence may be permitted upon such ^{Terms and conditions} terms and conditions as the officer-in-charge may prescribe.

(3) Subsection 1 does not authorize the placing of a patient ^{Exception} on leave of absence where he is subject to detention otherwise than under this Act. *New.*

21.—(1) A patient who is subject to detention and who, ^{Unauthorized absence} without authorization, is absent from a psychiatric facility may be returned thereto by a constable or other peace officer or by any person appointed by the officer-in-charge,

(a) within twenty-four hours after his absence becomes known to the officer-in-charge; or

(b)

- (b) under the authority of an order in the prescribed form issued by the officer-in-charge, within one month after his absence becomes known to the officer-in-charge.

Detention
during
return

- (2) A patient who is being returned under subsection 1 may be detained in an appropriate place in the course of his return.

Period of
detention
upon
return

- (3) For the purposes of this Act, a patient who is returned under subsection 1 may be detained for the remainder of the period of detention to which he was subject when his absence became known to the officer-in-charge.

Where not
returned

- (4) Where a patient is not returned within one month after his absence became known to the officer-in-charge, he shall, unless subject to detention otherwise than under this Act, be deemed to be discharged from the psychiatric facility.

Prohibitions

- (5) No person shall do or omit to do any act for the purpose of aiding, assisting, abetting or counselling a patient in a psychiatric facility to be absent without authorization. *New.*

Transfer
of patients
from one
facility to
another

- 22.—**(1) Upon the advice of the attending physician, the officer-in-charge of a psychiatric facility may, if otherwise permitted by law and subject to arrangements being made with the officer-in-charge of another psychiatric facility, transfer a patient to such other psychiatric facility upon completing a memorandum of transfer in the prescribed form.

Authority
to detain

- (2) Where a patient is transferred under subsection 1, the authority to detain him continues in force in the psychiatric facility to which he is so transferred. *New.*

Treatment
in public
hospital

- 23.—**(1) Upon the advice of the attending physician that a patient requires hospital treatment that cannot be supplied in the psychiatric facility, the officer-in-charge may, if otherwise permitted by law, transfer the patient to a public hospital for such treatment and return him to the psychiatric facility upon the conclusion thereof.

Powers of
superin-
tendent

- (2) Where a patient is transferred under subsection 1, the superintendent of the public hospital has, in addition to the powers conferred upon him by the Act under which the hospital operates, the powers under this Act of an officer-in-charge of a psychiatric facility in respect of the custody and control of the patient. *New.*

24. Where it appears to the Minister,Transfer
of patients to
institutions
outside
Ontario

- (a) that a patient in a psychiatric facility has come or been brought into Ontario from elsewhere and his hospitalization is the responsibility of another jurisdiction; or
- (b) that it would be in the best interests of a patient in a psychiatric facility to be hospitalized in another jurisdiction,

the Minister may, upon compliance in Ontario *mutatis mutandis* with the laws respecting hospitalization in such other jurisdiction, by warrant in the prescribed form authorize his transfer thereto. *New.*

25.—(1) Where the Minister has reason to believe that a person suffering from a mental disorder may come or be brought into Ontario from elsewhere, the Minister may issue a warrant in the prescribed form which is sufficient authority to any person to convey the person named therein to a psychiatric facility and to the authorities thereof to admit and detain him.

Mentally
disordered
persons
coming into
Ontario

(2) A person admitted to a psychiatric facility under sub-section 1 shall be deemed to have been admitted as an involuntary patient under section 8. *New.*

Idem

26.—(1) A patient shall be discharged from a psychiatric facility when he is no longer in need of the observation, care and treatment provided therein.

Discharge
of patients

(2) Subsection 1 does not authorize the discharge into the community of a patient who is subject to detention otherwise than under this Act. *New.*

Exception

27.—(1) The Lieutenant Governor in Council may appoint a review board for any one or more psychiatric facilities.

Review
boards

(2) A review board shall be composed of three or five members, at least one and not more than two of whom are psychiatrists and at least one and not more than two of whom are barristers and solicitors and at least one of whom is not a psychiatrist or a barrister and solicitor.

Composition

(3) The Lieutenant Governor in Council may designate one of the members of a review board as chairman.

Chairman

(4) The Lieutenant Governor in Council may appoint alternate members to a review board, and, where for any reason a member cannot act, the alternate member appropriate to comply with subsection 2 shall act in his stead.

Alternate
members

Disqualifi-
cation

(5) An officer or servant of, or a person with a direct financial interest in, a psychiatric facility shall not act as a member of a review board when the case of a patient of that facility is being reviewed.

Term
of office

(6) A member shall hold office for the period, not to exceed three years, specified in his appointment, but is eligible for re-appointment at the expiration of his term of office.

Quorum

(7) A psychiatrist and a barrister and solicitor and another member who is not a psychiatrist or a barrister and solicitor constitute a quorum, and the decision of a majority is the decision of the review board. *New.*

Application
for review by
patient, etc.

28.—(1) An involuntary patient, or any person on his behalf, may apply in the prescribed form to the chairman of the review board having jurisdiction to inquire into whether the patient suffers from mental disorder of a nature or degree so as to require hospitalization in the interests of his own safety or the safety of others.

When
application
may be made

(2) An application under subsection 1 may be made,

- (a) when any certificate of renewal respecting the patient comes into force; or
- (b) when the patient, after having been admitted to a psychiatric facility, is subsequently continued as an involuntary patient.

Application
for review
by Minister,
etc.

(3) An application under subsection 1 may be made at any time by the Minister, the Deputy Minister or the officer-in-charge in respect of any involuntary patient. *New.*

Inquiry
and
hearing

29.—(1) Upon receipt of an application by the chairman, the review board shall conduct such inquiry as it considers necessary to reach a decision and may hold a hearing, which in the discretion of the review board may be *in camera*, for the purpose of receiving oral testimony.

Attendance
of patient
at hearing

(2) Where a hearing is held, the patient may attend the hearing unless otherwise directed by the chairman and, where he does not attend, he may have a person appear as his representative.

Rights of
patient at
hearing

(3) Where a hearing is held, the patient or his representative may call witnesses and make submissions and, with the permission of the chairman, may cross-examine witnesses.

(4) The officer-in-charge shall, for the purpose of an inquiry, furnish the chairman with such information and reports as the chairman requests. Information, reports, etc.

(5) The review board or any member thereof may interview a patient or other person in private. *New.* Interview may be private

30.—(1) Upon the conclusion of an inquiry, the chairman shall prepare a written report of the decision of the review board and within the time prescribed by the regulations transmit a copy thereof to the applicant and to the officer-in-charge where he is not the applicant. Report

(2) Upon receipt of a copy of the decision, the officer-in-charge shall take any action required to give effect thereto. *New.* Implementation of report

31.—(1) The Lieutenant Governor in Council may appoint an advisory review board for any one or more psychiatric facilities that has a review board. Advisory review boards

(2) An advisory review board shall be composed of a judge or a retired judge of the Supreme Court who shall serve as chairman, a psychiatrist and any three members who constitute a quorum of the review board. Composition

(3) Subsections 4, 5 and 6 of section 27 apply *mutatis mutandis* to the members of an advisory review board. Alternate members, etc.

(4) The five members of an advisory review board constitute a quorum and the recommendation of a four-fifths majority is the recommendation of the advisory review board. Quorum

(5) The case of every patient in a psychiatric facility who is detained under the authority of a warrant of the Lieutenant Governor under the *Criminal Code* (Canada) shall be considered by the advisory review board having jurisdiction once in every year, commencing with the year next after the year in which the warrant was issued. Functions 1953-54, c. 51 (Can.)

(6) Notwithstanding subsection 5, the advisory review board shall consider the case of any patient to which that subsection applies at any time upon the written request of the Minister. Idem

(7) Section 29 applies *mutatis mutandis* to cases under this section. Application of sec. 29

(8) Upon the conclusion of an inquiry, the chairman shall prepare a written report of the recommendations of the advisory review board and, within the time prescribed by the

regulations, shall transmit a copy thereof to the Lieutenant Governor in Council, and may in his discretion transmit a copy thereof to any other person. *New.*

PART III

ESTATES

32.—(1) Forthwith upon the admission of a patient to a psychiatric facility, he shall be examined by a physician to determine whether he is competent to manage his estate.

(2) The attending physician may examine a patient at any time to determine whether he is competent to manage his estate.

(3) If, after an examination under subsection 1 or 2, the examining physician is of the opinion that the patient is not competent to manage his estate, he shall issue a certificate of incompetence in the prescribed form and the officer-in-charge shall forward the certificate to the Public Trustee.

(4) Where circumstances are such that the Public Trustee should immediately assume management of an estate, the officer-in-charge shall notify the Public Trustee in the fastest manner possible that a certificate of incompetence has been issued.

(5) Notwithstanding that no certificate of incompetence has been issued in his case, a patient may, at any time, in writing signed and sealed by him, appoint the Public Trustee as committee of his estate while he is a patient in a psychiatric facility, and any such appointment may be revoked by the patient at any time in writing signed and sealed by him.

(6) Where the Public Trustee is committee of a patient at the time of his admission to a psychiatric facility, a certificate of incompetence shall be deemed to have been issued and forwarded to the Public Trustee under subsection 3.

(7) This section does not apply to a patient whose estate is under committeehip under *The Mental Incompetency Act*. *New.*

33.—(1) Notwithstanding that under *The Mental Incompetency Act* a person other than the Public Trustee has been appointed as the committee of the estate of a patient, the Supreme Court may at any time upon the application of the Public Trustee appoint him as committee in the stead of the

person appointed under that Act, and on appointment the Public Trustee has and may exercise all the rights and powers conferred upon him by this Act with regard to the management of estates.

(2) If at any time a committee of the estate of a patient is appointed under *The Mental Incompetency Act*, the Public Trustee thereupon ceases to be committee and shall account for and transfer to the committee so appointed the estate of the patient that has come into his hands. Duty of Public Trustee where committee appointed under R.S.O. 1960, c. 237

(3) An order shall not be made under *The Mental Incompetency Act* for the appointment of a committee of a patient without the consent of the Public Trustee unless seven days notice of the application has been given to him. Consent of Public Trustee to order

(4) The acts of the Public Trustee while committee of a patient are not rendered invalid by the making of an order appointing another committee. *New.* Acts of Public Trustee not affected

34. The Public Trustee is committee of the estate of a patient and shall assume management thereof, Where Public Trustee committee

(a) upon receipt of a certificate of incompetence;

(b) upon receipt of notice under subsection 4 of section 32; or

(c) upon receipt of an appointment under subsection 5 of section 32. *New.*

35. Upon the Public Trustee becoming committee of the estate of a patient, the officer-in-charge shall forthwith forward a financial statement in the prescribed form to the Public Trustee. *New.* Financial statement

36. The attending physician may, after examining a patient for that purpose, cancel the patient's certificate of incompetence, and in such case the officer-in-charge shall forward a notice of cancellation in the prescribed form to the Public Trustee. *New.* Cancellation of certificate of incompetence

37.—(1) A patient who is about to be discharged from a psychiatric facility and whose estate is being managed by the Public Trustee shall be examined by his attending physician to determine whether or not he will, upon discharge, be competent to manage his estate. Examination as to competency before discharge

(2) Where the attending physician is of the opinion, after the examination referred to in subsection 1, that the patient will not, upon discharge, be competent to manage his estate, Notice of continuance

he shall issue a notice of continuance in the prescribed form and the officer-in-charge shall forward the notice to the Public Trustee. *New.*

Where
Public
Trustee
ceases to be
committee

38. The Public Trustee ceases to be committee of the estate of a patient and shall relinquish management thereof,

- (a) upon receipt of notice of cancellation of the certificate of incompetence of the patient;
 - (b) upon receipt of a revocation in writing, signed and sealed by the patient, of an appointment referred to in subsection 5 of section 32;
 - (c) upon receipt of notice of discharge of the patient, unless he has at that time received a notice of continuance; or
 - (d) upon the expiration of three months after the patient's discharge, where a notice of continuance was received.
- New.*

Application
to review
board as to
competency

39.—(1) Where a certificate of incompetence or a notice of continuance has been issued, the patient may apply in the prescribed form to the chairman of the review board having jurisdiction to inquire into whether the patient is not competent to manage his estate.

Application
of secs. 28-30

(2) Except that applications may be made not more frequently than once in any twelve-month period, sections 28, 29 and 30 apply *mutatis mutandis* to applications under subsection 1. *New.*

Leave of
judge to
bring action

40. No person, other than the Public Trustee, shall bring an action as next friend of a person of whose estate the Public Trustee is committee under this Act or by an order made under this Act without the leave of a judge of the court in which the action is intended to be brought, and the Public Trustee shall be served with notice of the application for such leave. *New.*

Service of
documents

41. When an action or proceeding is brought or taken against a patient in a psychiatric facility for whom a committee has not been appointed by the court and such action or proceeding is in connection with the estate of such person, the writ or other document by which the proceedings are commenced and any other document requiring personal service shall be served upon the Public Trustee endorsed with a written statement of the name of the psychiatric facility in which the patient is located, and shall also be served upon

the patient, unless in the opinion of the attending physician personal service upon the patient would cause serious harm to him by reason of his mental condition, in which case it shall also be served upon the officer-in-charge. *New.*

42. The Public Trustee as committee of a patient has and may exercise all the rights and powers with regard to the estate of the patient that the patient would have if of full age and of sound and disposing mind. *New.*

Rights and powers of Public Trustee as committee

43. A person of whose estate the Public Trustee is committee under this Act or by an order made under this Act and his heirs, executors, administrators, next of kin, legatees, devisees and assigns shall have the same interest in any money or other property, real or personal, arising from a sale, mortgage, exchange or other disposition by the Public Trustee acting as such committee as they would have had in the property the subject of the sale, mortgage, exchange or other disposition if no sale, mortgage, exchange or other disposition had been made, and the surplus money or property shall be of the same nature as the property sold, mortgaged, exchanged or disposed of. *New.*

Nature of proceeds of sale, etc.

44. Upon the Public Trustee becoming committee of the estate of a person under this Act or by an order made under this Act, every power of attorney of such person is void. *New.*

When powers of attorney void

45. Any recital in a lease, mortgage or conveyance that a person is a patient in a psychiatric facility and that the Public Trustee is his committee is admissible in evidence as *prima facie* proof of the facts recited. *New.*

Recitals in documents

46. The powers conferred upon the Public Trustee as committee of the estate of a patient may be exercised,

Purposes for which powers of Public Trustee may be exercised

- (a) until the committee ship is terminated notwithstanding that the patient has been discharged from the psychiatric facility;
- (b) to carry out and complete any transaction entered into by the patient before he became a patient in a psychiatric facility;
- (c) to carry out and complete any transaction entered into by the committee notwithstanding that the committee ship has been terminated or that the patient has died after the transaction was commenced. *New.*

Lien of
Public
Trustee for
costs, etc.

47.—(1) The costs, charges and expenses of the Public Trustee, including the costs, charges and expenses of or arising from or out of the passing of his accounts, whether before or after the termination of the trusteeship or the death of the person of whose estate he is committee under this Act or by an order made under this Act, and any moneys advanced or liability incurred by him for or on behalf of such person or for the maintenance of such person's family are a lien upon the real and personal property of such person.

Notice of
lien in
case of real
property

(2) In the case of real property, the Public Trustee may register in the proper registry or land titles office a certificate under his hand and seal of office giving notice of the lien claimed and the real property against which it is claimed.

Withholding
of moneys
to secure
costs

(3) Where the Public Trustee is proceeding to have his accounts passed after the termination of the trusteeship or the death of a person referred to in subsection 1, the Public Trustee may withhold sufficient moneys from the person's estate to adequately secure the costs of or arising from or out of the passing of such accounts. *New.*

When gifts,
etc., deemed
fraudulent

48. Every gift, grant, alienation, conveyance or transfer of property made by a person who is or becomes a patient shall be deemed to be fraudulent and void as against the Public Trustee if the same was not made for full and valuable consideration actually paid or sufficiently secured to such person or if the purchaser or transferee had notice of his mental condition. *New.*

Death of
patient

49. Upon the death of a patient and until letters probate of the will or letters of administration to the estate of the patient are granted to a person other than the Public Trustee and notice thereof is given to the Public Trustee, the Public Trustee may continue to manage the estate and exercise with respect thereto the powers that an executor would have if the property were devised or bequeathed to him in trust for payment of debts and distribution of the residue. *New.*

Passing of
accounts

50. The Public Trustee is liable to render an account as to the manner in which he has managed the property of the patient in the same way and subject to the same responsibility as any trustee, guardian or committee duly appointed for a similar purpose may be called upon to account, and is entitled from time to time to bring in and pass his accounts and tax costs in like manner as a trustee but is personally liable only for wilful misconduct. *New.*

Compensa-
tion of
Public
Trustee

51. For the services rendered by the Public Trustee as committee of a patient, he may be allowed compensation not

exceeding

exceeding the amount that a trustee would be allowed for like services, but in cases of poverty or hardship the Public Trustee may forego any claim for compensation. *New.*

52.—(1) Where a person with respect to whom a notice of continuance has been received by the Public Trustee may not, based upon a report of the attending physician or other evidence available to the Public Trustee, be competent to manage his estate upon the termination of the committeehip or a person discharged has refused or neglected to take his property or any part thereof from the Public Trustee, the Public Trustee may apply to the Supreme Court for directions as to the disposal of such property, and the court may make such order as it deems just, and may in its discretion order that the Public Trustee continue to manage the estate of such person with all the rights and powers that the Public Trustee would have had under this Act if the committeehip had not been terminated. ^{Application for directions}

(2) Where the Public Trustee continues to manage an estate under subsection 1, the Supreme Court may, upon application, make such further order as it deems just and may, in its discretion, order that the management of the estate by the Public Trustee be relinquished. *New.* ^{Further orders}

53. The Public Trustee shall, out of the money in his hands belonging to a patient for whom he is committee, pay the proper charges for his maintenance in the psychiatric facility in which he is a patient, and he may also pay such sums as he deems advisable to the patient's family or other persons dependent upon him, and the payments for the maintenance of the family and other dependants may be made notwithstanding that such payments may prevent the payment of maintenance that otherwise would be due from the patient. *New.* ^{Payments out of patient's moneys}

54. If there is any money in court to the credit of a patient, it shall be paid out to the Public Trustee upon his written application, and it is not necessary to obtain an order of the court or a judge for such purpose. *New.* ^{Payments out of moneys in court}

55. Nothing in this Act makes it the duty of the Public Trustee to institute proceedings on behalf of a patient or to intervene in respect of his estate or any part thereof or to take charge of any of his property. *New.* ^{What Public Trustee not required to do}

56.—(1) Where a person who is suffering from a mental disorder is a patient in a psychiatric facility in another province or territory of Canada and has estate situate in Ontario, the Lieutenant Governor in Council may appoint ^{Patients in another province with estate in Ontario}

the official of the other province or territory who is charged with the duty of managing the estate of such person in the other province or territory to be committee of the estate in Ontario.

Order
conclusive

(2) The order making the appointment is conclusive proof that all the conditions precedent to the appointment have been fulfilled.

Rights and
powers of
appointee

(3) The appointee under such an order possesses the same rights, powers, privileges and immunities as are conferred by this Act upon the Public Trustee and he is subject to the same obligations and shall perform the same duties. *New.*

PART IV

VETERANS, ETC.

Agreement
with
Government
of Canada
authorized

57. The Lieutenant Governor in Council may authorize an agreement between Her Majesty the Queen in right of Ontario represented by the Minister and Her Majesty the Queen in right of Canada represented by the minister of any department of the Government of Canada as is from time to time charged with the observation, care and treatment of persons who are suffering from a mental disorder whereunder that department may establish, operate, maintain, control and direct in Ontario psychiatric facilities within the meaning of this Act for the observation, care and treatment of such persons, and where such an agreement is made, it may provide that the provisions of Parts II and III of this Act and the relevant regulations, or any of them, apply *mutatis mutandis*. *New.*

PART V

MISCELLANEOUS

Limitation
of actions,
etc.

58. All actions, prosecutions or other proceedings against any person or psychiatric facility for anything done or omitted to be done in pursuance or intended pursuance of this Act or the regulations shall be commenced within six months after the act or omission complained of occurred and not afterwards. *New.*

Certain
actions
barred

59. No action lies against any psychiatric facility or any officer, employee or servant thereof for a tort of any patient. *New.*

60. Every person who contravenes or is a party to the ^{Offence} contravention, directly or indirectly, of any provision of this Act or the regulations is guilty of an offence and on summary conviction is liable to a fine of not less than \$25 and not more than \$500. *New.*

61.—(1) The Lieutenant Governor in Council may make ^{Regulations} regulations,

- (a) designating and classifying psychiatric facilities, and exempting any psychiatric facility or class thereof from the application of any provision of the regulations made under clause *b*;
- (b) in respect of psychiatric facilities or any class thereof,
 - (i) providing for the creation, establishment, construction, alteration, renovation and maintenance thereof,
 - (ii) prescribing the accommodation, facilities, equipment and services thereof,
 - (iii) providing for the government, management, conduct, operation, use and control thereof,
 - (iv) providing for the officers and staff and prescribing their qualifications,
 - (v) prescribing the forms, records, books, returns and reports to be made and kept in connection therewith and providing for returns, reports and information to be furnished to the Department;
- (c) prescribing additional duties of officers designated and persons appointed under subsection 1 of section 4;
- (d) prescribing the classes of grants by way of provincial aid to any psychiatric facility or class thereof and the methods of determining the amounts of grants and providing for the manner and times of payment and the suspension and withholding of grants and for the making of deductions from grants;
- (e) exempting any psychiatric facility or class thereof from the application of Part II;
- (f) classifying patients, and limiting the classes of patients that may be admitted to any psychiatric facility or class thereof;

(g)

- (g) respecting the examination and detention of persons and the admission, detention, leave of absence, absence without authorization, transfer, discharge and placement of patients;
- (h) prescribing the manner in which applications may be made to a review board;
- (i) governing and regulating hearings and other proceedings of review boards and advisory review boards;
- (j) prescribing the time in which decisions of review boards or recommendations of advisory review boards shall be transmitted;
- (k) providing for the remuneration and expenses of members of review boards and advisory review boards;
- (l) conferring ancillary functions upon review boards and advisory review boards;
- (m) exempting any psychiatric facility or class thereof from the application of Part III;
- (n) prescribing forms and providing for their use;
- (o) respecting any matter necessary or advisable to carry out effectively the intent and purpose of this Act.

Relief from
compliance

- (2) Where, in the opinion of the Minister,
 - (a) it is impracticable for a psychiatric facility to comply with any provision of the regulations made under clause *b* of subsection 1; and
 - (b) it is in the best interests of the population served by such psychiatric facility,

he may, by his authorization in writing, relieve such psychiatric facility from the application of such provision for such period and upon such conditions as he specifies in the authorization.

R.S.O. 1960,
c. 349 not
to apply

(3) *The Regulations Act* does not apply to an authorization of the Minister made under subsection 2. 1966, c. 87, s. 6, amended.

- 62.** *The Mental Health Act, 1966* is repealed. 1966, c. 87,
repealed
- 63.** This Act comes into force on a day to be named by the Lieutenant Governor by his proclamation. Commence-
ment
- 64.** This Act may be cited as *The Mental Health Act, 1967*. Short title

CHAPTER 52

An Act to amend The Mental Hospitals Act

*Assented to June 15th, 1967**Session Prorogued June 15th, 1967*

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) Clause *a* of section 1 of *The Mental Hospitals Act* is repealed and the following substituted therefor: R.S.O. 1960, c. 236, s. 1, cl. *a*, re-enacted

(*a*) “approved home” means a home to which patients may be released from an institution in the manner provided by this Act and the regulations.

(2) Clauses *e*, *f*, *g*, *h*, *i* and *j* of the said section 1 are repealed and the following substituted therefor: R.S.O. 1960, c. 236, s. 1, cls. *e-i*, repealed; cl. *j*, re-enacted

(*j*) “institution” means an institution under this Act, and includes every approved home connected therewith.

(3) Clauses *k*, *l*, *m* and *n* of the said section 1 are repealed. R.S.O. 1960, c. 236, s. 1, cls. *k-n*, repealed

(4) Clause *o* of the said section 1 is repealed and the following substituted therefor: R.S.O. 1960, c. 236, s. 1, cl. *o*, re-enacted

(*o*) “Minister” means the Minister of Health;

(*oa*) “officer-in-charge” means the officer of the Department who is appointed as the superintendent or hospital administrator of an institution.

(5) Clause *q* of the said section 1, as amended by section 1 of *The Mental Hospitals Amendment Act, 1962-63*, is repealed. R.S.O. 1960, c. 236, s. 1, cl. *q*, repealed

(6) Clauses *s* and *t* of the said section 1 are repealed. R.S.O. 1960, c. 236, s. 1, cls. *s, t*, repealed

2. Sections 3 and 4 of *The Mental Hospitals Act* are repealed and the following substituted therefor: R.S.O. 1960, c. 236, ss. 3, 4, re-enacted

Names of
institutions

3. Each institution shall be known by such name as the Lieutenant Governor in Council may designate.

Application
of
R.S.O. 1960,
c. 322

4. The Lieutenant Governor in Council may designate any provision of *The Public Hospitals Act* or of the regulations thereunder as being applicable to any institution under this Act.

R.S.O. 1960,
c. 236, s. 5,
subs. 2, cl. d,
re-enacted

- 3.—(1) Clause *d* of subsection 2 of section 5 of *The Mental Hospitals Act* is repealed and the following substituted therefor:

- (*d*) the appointment of officers and employees, and prescribing their powers and duties.

R.S.O. 1960,
c. 236, s. 5,
subs. 2,
cls. *f*, *g*,
repealed

- (2) Clauses *f* and *g* of subsection 2 of the said section 5 are repealed.

R.S.O. 1960,
c. 236, s. 5,
subs. 2,
cl. *h*,
re-enacted

- (3) Clause *h* of subsection 2 of the said section 5 is repealed and the following substituted therefor:

- (*h*) regulating the care, treatment and maintenance of patients.

R.S.O. 1960,
c. 236, s. 5,
subs. 2,
cl. *ha*
(1961-62,
c. 79, s. 1,
subs. 1),
repealed

- (4) Clause *ha* of subsection 2 of the said section 5, as enacted by subsection 1 of section 1 of *The Mental Hospitals Amendment Act, 1961-62*, is repealed.

R.S.O. 1960,
c. 236, s. 5,
subs. 2, cl. *j*,
re-enacted

- (5) Clause *j* of subsection 2 of the said section 5 is repealed and the following substituted therefor:

- (*j*) prescribing the forms relating to patients and all other forms required for the carrying out of this Act and the regulations.

R.S.O. 1960,
c. 236, s. 5,
subs. 2,
cls. *m*, *n*,
re-enacted

- (6) Clauses *m* and *n* of subsection 2 of the said section 5 are repealed and the following substituted therefor:

- (*m*) providing for the granting and withdrawing of certificates of approval to approved homes, and fixing the fees payable therefor;
- (*n*) fixing the situation, construction and equipment of approved homes.

R.S.O. 1960,
c. 236, s. 5,
subs. 2,
cl. *na*
(1962-63,
c. 81, s. 2),
repealed

- (7) Clause *na* of subsection 2 of the said section 5, as enacted by section 2 of *The Mental Hospitals Amendment Act, 1962-63*, is repealed.

(8) Clause *ra* of subsection 2 of the said section 5, as enacted by subsection 3 of section 1 of *The Mental Hospitals Amendment Act, 1961-62*, is repealed and the following substituted therefor:

R.S.O. 1960,
c. 236, s. 5,
subs. 2,
cl. *ra*
(1961-62,
c. 79, s. 1,
subs. 3),
re-enacted

(*ra*) prescribing the amounts that may be paid by the Department to medical practitioners who are not officers of the Department for the examination of persons who are or are believed to be in need of observation, care and treatment in an institution, and prescribing the terms and conditions of such payments;

(*rb*) prescribing the costs and expenses referred to in subsection 1 of section 72.

4. Section 7 of *The Mental Hospitals Act* is repealed and the following substituted therefor:

R.S.O. 1960,
c. 236, s. 7,
re-enacted

7.—(1) Subject to section 6, the officer-in-charge of an institution is in charge of and has control over the institution for which he is appointed, and shall superintend the conduct and management of all its affairs and control all officers, clerks, servants and employees thereof and all the patients therein.

Officer-in-charge to control the institution

(2) Where this Act or the regulations require or authorize the officer-in-charge of an institution to do any act, such act may be done by any person whom the officer-in-charge appoints to do such act.

Delegation of powers and duties

5. Sections 8 and 9 of *The Mental Hospitals Act* are repealed.

R.S.O. 1960,
c. 236,
ss. 8, 9,
repealed

6. Subsections 1 and 3 of section 10 of *The Mental Hospitals Act* are repealed.

R.S.O. 1960,
c. 236, s. 10,
subss. 1, 3,
repealed

7. Section 11 of *The Mental Hospitals Act* is repealed and the following substituted therefor:

R.S.O. 1960,
c. 236, s. 11,
re-enacted

11. Every person who contravenes any provision of this Act or the regulations is guilty of an offence and on summary conviction is liable to a fine of not less than \$10 and not more than \$100.

Offences and penalties

8. Sections 12, 13, 14 and 15, and section 16 as amended by section 1 of *The Mental Hospitals Amendment Act, 1960-61*, of *The Mental Hospitals Act* are repealed.

R.S.O. 1960,
c. 236,
ss. 12-16,
repealed

9. Section 17 of *The Mental Hospitals Act* is repealed and the following substituted therefor:

R.S.O. 1960,
c. 236, s. 17,
re-enacted

Contribu-
tion by
Province

17. The Minister, out of the moneys appropriated by the Legislature for the purpose, may contribute toward the cost of treatment in public hospitals of indigent patients transferred thereto in such amounts, in such manner and under such conditions as are prescribed by the regulations.

R.S.O. 1960,
c. 236, s. 18,
subs. 1,
re-enacted

- 10.** Subsection 1 of section 18 of *The Mental Hospitals Act* is repealed and the following substituted therefor:

Special
inquiry by
Deputy
Minister

- (1) Where the Deputy Minister is authorized by the Minister to institute an inquiry into the management or affairs of an institution, or into any matter in connection therewith, or into the truth of any returns made by any officer thereof and deems that any person should give evidence before him on oath, the Deputy Minister has the same power to summon such person to attend as a witness, to enforce his attendance and to compel him to produce documents and to give evidence as a court in civil cases.

R.S.O. 1960,
c. 236, s. 19,
repealed

- 11.** Section 19 of *The Mental Hospitals Act*, as amended by section 3 of *The Mental Hospitals Amendment Act, 1962-63* and section 1 of *The Mental Hospitals Amendment Act, 1965*, is repealed.

R.S.O. 1960,
c. 236, s. 19a
(1962-63,
c. 81, s. 4),
repealed

- 12.** Section 19a of *The Mental Hospitals Act*, as enacted by section 4 of *The Mental Hospitals Amendment Act, 1962-63*, is repealed.

R.S.O. 1960,
c. 236, s. 20,
repealed

- 13.** Section 20 of *The Mental Hospitals Act* is repealed.

R.S.O. 1960,
c. 236, s. 21
(1965,
c. 71, s. 2),
repealed

- 14.** Section 21 of *The Mental Hospitals Act*, as re-enacted by section 2 of *The Mental Hospitals Amendment Act, 1965*, is repealed.

R.S.O. 1960,
c. 236,
ss. 22-26,
repealed

- 15.** Sections 22, 23, 24, 25 and 26 of *The Mental Hospitals Act* are repealed.

R.S.O. 1960,
c. 236, s. 27,
repealed

- 16.** Section 27 of *The Mental Hospitals Act*, as amended by section 3 of *The Mental Hospitals Amendment Act, 1965*, is repealed.

R.S.O. 1960,
c. 236, s. 27a
(1961-62,
c. 79, s. 3),
repealed

- 17.** Section 27a of *The Mental Hospitals Act*, as enacted by section 3 of *The Mental Hospitals Amendment Act, 1961-62*, is repealed.

R.S.O. 1960,
c. 236, s. 28,
repealed

- 18.** Section 28 of *The Mental Hospitals Act*, as amended by section 5 of *The Mental Hospitals Amendment Act, 1962-63*, is repealed.

19. Section 28a of *The Mental Hospitals Act*, as enacted by section 3 of *The Mental Hospitals Amendment Act, 1961-62*, is repealed. R.S.O. 1960, c. 236, s. 28a (1961-62, c. 79, s. 3), repealed

20. Sections 29, 30, 31, 32, 33, 34, 35, 36 and 37 of *The Mental Hospitals Act* are repealed. R.S.O. 1960, c. 236, ss. 29-37, repealed

21. Section 38 of *The Mental Hospitals Act*, as amended by section 6 of *The Mental Hospitals Amendment Act, 1962-63*, is repealed. R.S.O. 1960, c. 236, s. 38, repealed

22. Sections 39 and 40 of *The Mental Hospitals Act* are repealed. R.S.O. 1960, c. 236, ss. 39, 40, repealed

23. Section 40a of *The Mental Hospitals Act*, as enacted by section 5 of *The Mental Hospitals Amendment Act, 1961-62*, is repealed. R.S.O. 1960, c. 236, s. 40a (1961-62, c. 79, s. 5), repealed

24. Sections 41 and 42 of *The Mental Hospitals Act* are repealed and the following substituted therefor: R.S.O. 1960, c. 236, ss. 41, 42, re-enacted

41. The Minister may issue certificates approving of any building, premises or place as an approved home for the reception of patients who are released from an institution into the custody of such home, and entitling any person to receive into the approved home one or more patients as if such home had been established as an institution under this Act. Certificate for approved home

42.—(1) If the officer-in-charge considers it conducive to the recovery of a patient, the officer-in-charge may place the patient in an approved home, subject to this Act and the regulations. Release of patients to approved homes

(2) Subsection 1 does not authorize the placing of a patient in an approved home where he is subject to detention otherwise than under *The Mental Health Act, 1967*. Idem 1967, c. 51

25. Sections 45 and 46 of *The Mental Hospitals Act* are repealed. R.S.O. 1960, c. 236, ss. 45, 46, repealed

26. Section 46a, as enacted by section 5 of *The Mental Hospitals Amendment Act, 1965*, and section 46b, as enacted by section 1 of *The Mental Hospitals Amendment Act, 1966*, of *The Mental Hospitals Act* are repealed. R.S.O. 1960, c. 236, s. 46a (1965, c. 71, s. 5); s. 46b (1966, c. 88, s. 1), repealed

27. Sections 47 and 48 of *The Mental Hospitals Act* are repealed. R.S.O. 1960, c. 236, ss. 47, 48, repealed

28. Section 49 of *The Mental Hospitals Act*, as re-enacted by section 6 of *The Mental Hospitals Amendment Act, 1965*, is repealed. R.S.O. 1960, c. 236, s. 49 (1965, c. 71, s. 6), repealed

R.S.O. 1960, c. 236, ss. 50-61, repealed **29.** Sections 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60 and 61 of *The Mental Hospitals Act* are repealed.

R.S.O. 1960, c. 236, s. 62, repealed **30.** Section 62 of *The Mental Hospitals Act*, as amended by section 7 of *The Mental Hospitals Amendment Act, 1961-62*, is repealed.

R.S.O. 1960, c. 236, ss. 63-67, repealed **31.** Sections 63, 64, 65, 66 and 67 of *The Mental Hospitals Act* are repealed.

R.S.O. 1960, c. 236, s. 68, repealed **32.** Section 68 of *The Mental Hospitals Act*, as amended by section 8 of *The Mental Hospitals Amendment Act, 1961-62*, is repealed.

R.S.O. 1960, c. 236, ss. 69-71, repealed **33.** Sections 69, 70 and 71 of *The Mental Hospitals Act* are repealed.

R.S.O. 1960, c. 236, s. 71^a (1962-63, c. 81, s. 7), re-enacted **34.** Section 71a of *The Mental Hospitals Act*, as enacted by section 7 of *The Mental Hospitals Amendment Act, 1962-63*, is repealed and the following substituted therefor:

Industrial
rehabilita-
tion
programmes

71a. The officer-in-charge may establish, maintain, operate and manage industrial rehabilitation programmes for the beneficial employment and remuneration of patients and other persons, and may enter into agreements with respect to such programmes and provide for remuneration in connection therewith.

R.S.O. 1960, c. 236, s. 72, subs. 1, re-enacted **35.** Subsection 1 of section 72 of *The Mental Hospitals Act*, as amended by subsection 1 of section 8 of *The Mental Hospitals Amendment Act, 1962-63*, is repealed and the following substituted therefor:

Liability
of muni-
cipality
1967, c. 51

(1) The costs and expenses incurred under section 9, 10, 14 or 15 of *The Mental Health Act, 1967* in determining the mental condition of a person and in conveying the person to and from an institution shall be paid by the municipality from which the person came or was sent to an institution in such amounts as are prescribed by the regulations.

R.S.O. 1960, c. 236, s. 73, repealed **36.** Section 73 of *The Mental Hospitals Act* is repealed.

R.S.O. 1960, c. 236, s. 74, subss. 1, 2, re-enacted **37.** Subsections 1 and 2 of section 74 of *The Mental Hospitals Act* are repealed and the following substituted therefor:

Inquiry
regarding
estate

(1) Upon due application for the admission of a person, the officer-in-charge of the institution shall make a full and thorough inquiry respecting the estate,

either

either in existence or in prospect, of the person and of its sufficiency, free from all claims of his family, to supply the means necessary for his maintenance and clothing in the institution as provided by the regulations.

- (2) The officer-in-charge shall where possible require from the person liable for maintenance of the patient an agreement or bond to secure the payment of the patient's maintenance, either in whole or in part, and the agreement or bond shall continue in force so long as the patient is maintained in an institution. Bond for maintenance

38. Section 78 of *The Mental Hospitals Act* is repealed and the following substituted therefor: R.S.O. 1960, c. 236, s. 78, re-enacted

78.—(1) The officer-in-charge of an institution shall send a written notice on the first day of each of the months of January, April, July and October to the person liable for payment of the maintenance of a patient, giving the date of the patient's admission to the institution and the amount that is due and owing for his maintenance as provided by the regulations, and in the notice a demand shall be made by the officer-in-charge upon the person liable for payment of maintenance for such sum as is due and owing, and the sum shall be paid forthwith on the demand. Notice of liability

- (2) In an action or other proceeding to recover a sum owing by a person, municipal corporation or the estate of a person for the maintenance of a patient, it is sufficient to prove that the officer-in-charge sent the notice and demand for payment referred to in subsection 1 within the three months preceding the commencement of the action or other proceeding, and no proof is required that any prior notices or demands for payment were sent. Proof of notice and demand for payment

39. Section 80 of *The Mental Hospitals Act* is repealed. R.S.O. 1960, c. 236, s. 80, repealed

40. Section 81 of *The Mental Hospitals Act*, as re-enacted by section 7 of *The Mental Hospitals Amendment Act, 1965*, is repealed. R.S.O. 1960, c. 236, s. 81 (1965, c. 71, s. 7), repealed

41. Section 82 of *The Mental Hospitals Act*, as amended by section 8 of *The Mental Hospitals Amendment Act, 1965*, is repealed. R.S.O. 1960, c. 236, s. 82, repealed

R.S.O. 1960,
c. 236, s. 83
(1962-63,
c. 81, s. 10),
repealed

42. Section 83 of *The Mental Hospitals Act*, as re-enacted by section 10 of *The Mental Hospitals Amendment Act, 1962-63* and amended by section 9 of *The Mental Hospitals Amendment Act, 1965* and section 2 of *The Mental Hospitals Amendment Act, 1966*, is repealed.

R.S.O. 1960,
c. 236, s. 84,
repealed

43. Section 84 of *The Mental Hospitals Act*, as amended by section 10 of *The Mental Hospitals Amendment Act, 1965*, is repealed.

R.S.O. 1960,
c. 236,
ss. 85, 86,
repealed

44. Sections 85 and 86 of *The Mental Hospitals Act* are repealed.

R.S.O. 1960,
c. 236, s. 87,
repealed

45. Section 87 of *The Mental Hospitals Act*, as amended by section 11 of *The Mental Hospitals Amendment Act, 1965*, is repealed.

R.S.O. 1960,
c. 236,
ss. 88-103,
repealed

46. Sections 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102 and 103 of *The Mental Hospitals Act* are repealed.

R.S.O. 1960,
c. 236,
ss. 104-109
(1961-62,
c. 79, s. 10),
repealed

47. Sections 104, 105, 106, 107, 108 and 109 of *The Mental Hospitals Act*, as re-enacted by section 10 of *The Mental Hospitals Amendment Act, 1961-62*, are repealed.

R.S.O. 1960,
c. 236,
ss. 114, 115,
repealed

48. Sections 114 and 115 of *The Mental Hospitals Act* are repealed.

Status of
present
patients

R.S.O. 1960,
c. 236
1967, c. 51

49.—(1) A patient who immediately before this Act comes into force is in an institution by virtue of section 21, 49 or 51 of *The Mental Hospitals Act* shall be deemed to be an informal patient under *The Mental Health Act, 1967*.

Idem

(2) A patient who immediately before this Act comes into force is in an institution by virtue of section 22, 25, 32, 35 or 73 of *The Mental Hospitals Act* shall be deemed to be an involuntary patient under *The Mental Health Act, 1967*.

Idem

(3) A patient who immediately before this Act comes into force is in an institution by virtue of section 38 of *The Mental Hospitals Act* shall be deemed to be a patient under section 15 of *The Mental Health Act, 1967*.

Where
Public
Trustee to
continue as
committee

50. Where the Public Trustee is immediately before this Act comes into force committee of the estate of a patient, the Public Trustee shall continue as committee as if a certificate of incompetence had been issued and forwarded to the Public Trustee under subsection 3 of section 32 of *The Mental Health Act, 1967*.

51.—(1) A patient who immediately before this Act comes into force is on probationary release shall be deemed to be discharged.

Patients
now on
probationary
release
deemed
discharged

(2) Where the estate of a patient discharged by virtue of subsection 1 was immediately before such discharge under the committee-ship of the Public Trustee, a notice of continuance shall be deemed to have been issued under subsection 2 of section 37 of *The Mental Health Act, 1967*.

Idem

1967, c. 51

52. This Act comes into force on a day to be named by the Lieutenant Governor by his proclamation.

Commence-
ment

53. This Act may be cited as *The Mental Hospitals Amendment Act, 1967*.

Short title

CHAPTER 53

An Act to amend The Milk Act, 1965

*Assented to March 22nd, 1967
Session Prorogued June 15th, 1967*

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Section 17 of *The Milk Act, 1965* is repealed and the following substituted therefor: ^{1965, c. 72, s. 17, re-enacted}

17.—(1) Where, upon the application of a co-operative corporation to which Part V of *The Corporations Act* applies and of which one of the objects is to engage in the transportation of milk, the Commission is satisfied that more than three-quarters of the shareholders or members of the corporation are producers supplying milk to one or more plants, the Commission shall issue a certificate to that effect to the Minister of Transport, and the corporation in respect of which the certificate is issued is not required to have an operating licence under *The Public Commercial Vehicles Act* for the purpose of transporting the milk of such producers. ^{Transportation of milk by producers' co-operative R.S.O. 1960, c. 71}

(2) The Commission may, after a hearing, revoke a certificate where the corporation ceases to meet the qualifications required by subsection 1, and shall give notice of the revocation to the Minister of Transport. ^{Revocation of certificates}

2. This Act comes into force on the day it receives Royal Assent. ^{Commencement}

3. This Act may be cited as *The Milk Amendment Act, 1967*. ^{Short title}

CHAPTER 54

An Act to amend The Mining Act

Assented to June 15th, 1967
Session Prorogued June 15th, 1967

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) Section 1 of *The Mining Act*, as amended by section 1 of *The Mining Amendment Act, 1962-63*, is further amended by adding thereto the following paragraph: R.S.O. 1960,
c. 241, s. 1,
amended

8a. "lease" means a leasehold patent.

(2) Paragraph 19 of the said section 1 is repealed and the following substituted therefor: R.S.O. 1960,
c. 241, s. 1,
par. 19,
re-enacted

19. "patent" means a grant from the Crown in fee simple or for a less estate made under the Great Seal, and includes leasehold patents and freehold patents, but in sections 7, 34, 68*b*, 83, 100*b*, 100*c*, 102, 103, 104, 105, 106, 107, 108, 108*a*, 109, 110, 639, 640, 647, 651, 654 and 661 the meaning is limited to freehold patents.

(3) The said section 1 is further amended by adding thereto the following paragraphs: R.S.O. 1960,
c. 241, s. 1,
amended

23a. "unpatented", when referring to land or mining rights, means land or mining rights for which a patent, lease, licence of occupation or any other form of Crown grant is not in effect;

23b. "unpatented mining claim" means a mining claim that is in good standing and for which the Crown has not issued a patent, lease or licence of occupation.

2. Section 33 of *The Mining Act* is amended by adding thereto the following subsections: R.S.O. 1960,
c. 241, s. 33,
amended

Idem

- (1a) Where a licence is revoked under subsection 1, the Minister shall determine and notify the holder of the licence revoked of the period of time during which a licence shall not be issued to him.

Idem

- (2a) Where a licence is suspended under subsection 2, the Minister shall determine and notify the holder of the licence suspended of the period of time during which his licence is suspended.

Rights of
licensee
under
suspension

- (3) While a licence is suspended under subsection 2, the licensee may renew his licence or transfer claims to another licensee or report work, but he may not stake out or apply for a mining claim or acquire an unpatented mining claim or interest therein through transfer or obtain an extension of time in which to perform work or in which to apply for lease on any unpatented mining claim recorded in his name.

R.S.O. 1960,
c. 241, s. 54,
subs. 1,
amended

3. Subsection 1 of section 54 of *The Mining Act* is amended by striking out "but not more than eighteen of such mining claims may be staked out and applied for in one mining division or in territory not included in a mining division" in the second, third, fourth and fifth lines, so that the subsection shall read as follows:

Maximum
number of
claims per
licensee

- (1) A licensee shall not stake out and apply for more than ninety mining claims in a licence year.

R.S.O. 1960,
c. 241, s. 62,
subs. 5,
amended

4. Subsection 5 of section 62 of *The Mining Act* is amended by inserting after "the" where it occurs the first time in the fourth line "corresponding", so that the subsection shall read as follows:

Tagging
claim posts
after
recording

- (5) As soon as is reasonably possible after the recording of the mining claim and not later than six months thereafter, the holder of the claim shall affix or cause to be affixed securely to each of the corresponding corner posts of the claim a metal tag plainly marked or impressed with the recorded number and letter or letters of the claim, and the recorder shall supply such numbered tags free of charge.

R.S.O. 1960,
c. 241, s. 63,
subs. 3,
amended

- 5.—(1) Subsection 3 of section 63 of *The Mining Act* is amended by inserting after "the" where it occurs the second time in the second line "corresponding", so that the subsection shall read as follows:

- (3) A licensee purchasing metal tags under this section shall affix the metal tags to the corresponding corner posts at the time of staking out a mining claim, and otherwise the staking out and recording shall be in the manner provided in this Act.

Affixing
of claim
tags

(2) Subsection 10 of the said section 63, as enacted by section 2 of *The Mining Amendment Act, 1965*, is repealed and the following substituted therefor:

R.S.O. 1960,
c. 241, s. 63,
subs. 10
(1965,
c. 73, s. 2),
re-enacted

- (10) Where metal tags purchased under this section are used in staking out mining claims and the licensee stakes out a group of two or more contiguous claims as part of a continuous action and presents the claims to the recorder for recording at the same time, he may plant or erect and use common posts at common corners

Licensee
staking out
contiguous
claims may
use common
posts at
common
corners

(a) the metal tag and the writing pertaining to each claim are placed on that side of the common post facing the next post for that claim in a clockwise manner; and

(b) the sketch furnished under subsection 1 of section 59 indicates any common posts so planted or erected,

and otherwise the staking out and recording shall be in the manner provided in this Act.

6. Section 68 of *The Mining Act* is amended by adding thereto the following subsections:

R.S.O. 1960,
c. 241, s. 68,
amended

- (1a) The staking out or filing of an application for or the recording of a mining claim, or all or any of such acts, does not confer upon a licensee any right to take, remove, or otherwise dispose of any minerals, sand, gravel, stone or any other material found in, upon or under the mining claim.

Rights in
claim

- (1b) The Minister may reserve for the Crown the sand and gravel located on an unpatented mining claim.

Reserva-
tions for
Crown on
unpatented
claims

- (1c) The reservation authorized by subsection 1b shall be deemed to have been made on all unpatented mining claims unless such reservation is waived by the Minister.

Reservation
may be
waived by
Minister

Taxation

- (4) The holder of a licence of occupation or quarry permit issued under this Act or any predecessor thereof is not liable to assessment or taxation for municipal or school purposes in respect of such licence of occupation or quarry permit except with respect to improvements for which he would be liable to assessment or taxation if the lands were held under a patent.

R.S.O. 1960,
c. 241,
amended

7. *The Mining Act* is amended by adding thereto the following section:

Permission
to test ore

- 68b.—(1) The Minister may permit the mining, milling and refining of ore on an unpatented mining claim for the purpose of testing mineral content and may prescribe the conditions for so doing.

Conditions
of permis-
sion to
test ore

- (2) Permission granted under subsection 1 shall be in writing, shall be for a given period of time and shall cover a given quantity of ore.

Sale of ore

- (3) The end product of such mining, milling and refining, except as provided in subsection 4, shall not be sold or otherwise disposed of until the mining claim or mining claims from which the ore was taken are leased or patented under this Act.

Disposition
of proceeds
from sale
of ore

- (4) The Minister may, in writing, prescribe the disposition of the proceeds from the sale of any end product and may require that the proceeds be held by the Crown until title has been granted for the mining claim or claims or he may direct that the proceeds be escheated to the Crown in whole or in part.

R.S.O. 1960,
c. 241, s. 71,
repealed

8. Section 71 of *The Mining Act* is repealed.

R.S.O. 1960,
c. 241, s. 83,
subs. 6,
re-enacted

9. Subsection 6 of section 83 of *The Mining Act* is repealed and the following substituted therefor:

Work to be
performed
on claims

- (6) A licensee may perform or cause to be performed on one or more unpatented claims any of the work required to be performed in respect of contiguous unpatented claims recorded in his name or of which he is the optionee of record, and the reports of work and the certificates to be filed in respect of the work shall indicate the claim or claims on which the work was performed and the claim or claims upon which it is to be applied, but in no case, except for work required under subsection 18 of section 100a, shall more than 4,000 days work be performed on a claim

for application on other claims and at least one day's work must be filed on each claim grouped for a filing of work.

- (6a) A recorded holder or an optionee of record may vary the claims grouped under subsection 6 for successive filings of work but the grouping for each filing must meet the requirements of subsection 6. Grouping of claims for filing
- (6b) The total amount of work performed on an unpatented claim and applied on other claims is the work assignment. Work applied to other claims
- (6c) The work assignment charged to a claim is voided when the claim is transferred to another licensee or when an option is filed in favour of another licensee, and the new holder or new optionee is entitled to a full work assignment of not more than 4,000 days work with respect to that claim, provided that the requirements of subsection 6 are met. When work assignment voided
- (6d) If a previous recorded holder again becomes the recorded holder of a claim, the work assignment charged to the claim is the work assignment that was charged to it at the time that he disposed of the claim. Claim reverting to original holder
- (6e) If an option ceases to have effect by virtue of an entry on the record of a claim, the work assignment charged to the claim is the work assignment that was charged to it at the time that the option was filed. Lapse of option
- (6f) Notwithstanding subsection 6, if the work is diamond drilling and the length of the drill hole is greater than 4,000 feet, the licensee may make application to the Minister for an increase in the work assignment for the claim on which the drilling is performed, and the work assignment may be increased by the difference between 4,000 days and the credit to which he would be entitled for the drilling, Increase of work assignment

(a) if the Minister issues a certificate in the prescribed form; and

(b) if the certificate is filed in the office of the recorder before the work is commenced.

10.—(1) Subsection 8 of section 84 of *The Mining Act*, as re-enacted by subsection 1 of section 7 of *The Mining Amendment Act, 1964*, is amended by striking out “and R.S.O. 1960, c. 241, s. 84, subs. 8 (1964, c. 62, s. 7, subs. 1), amended

approved

approved by the Minister within sixty days of the recording of work" in the twenty-first, twenty-second and twenty-third lines and inserting in lieu thereof "the Minister within sixty days of the recording of the work and are approved", so that the subsection shall read as follows:

Surveys

(8) A geophysical survey, satisfactory to the Minister, of a mining claim may be recorded as work on the claim, subject to,

(a) ground surveys, at the rate of one day's work in respect of each man necessarily employed in linecutting or chaining for each eight hours of his employment, and at the rate of seven days' work in respect of each man necessarily employed in work relating to the geophysical survey for each eight hours of his employment, but no credit shall be given for more than twelve hours in any day in respect of any man; and

(b) airborne geophysical surveys at the rate of forty days' work in respect of each mile of continuous recordings,

but not more than a total of eighty days' work may be recorded in respect of each claim, and credit for the work shall be cancelled by the recorder unless full reports and plans in duplicate, satisfactory to the Minister, are submitted to the Minister within sixty days of the recording of the work and are approved.

R.S.O. 1960,
c. 241, s. 84,
subs. 9
(1964,
c. 62, s. 7,
subs. 1),
amended

(2) Subsection 9 of the said section 84, as re-enacted by subsection 1 of section 7 of *The Mining Amendment Act, 1964*, is amended by striking out "and approved by the Minister within sixty days of the recording of the work" in the fourteenth, fifteenth and sixteenth lines and inserting in lieu thereof "the Minister within sixty days of the recording of the work and are approved", so that the subsection shall read as follows:

Geological
survey to
count as
work

(9) A geological survey, satisfactory to the Minister, of a mining claim may be recorded as work on the claim at the rate of one day's work in respect of each man necessarily employed in linecutting or chaining for each eight hours of his employment, and at the rate of seven days' work in respect of each man necessarily employed in work relating to the geological survey for each eight hours of his employment, not exceeding a total of forty days' work in respect

of each claim, but no credit shall be given for more than twelve hours in any day in respect of any man, and credit for the work shall be cancelled by the recorder unless full reports and plans in duplicate, satisfactory to the Minister, are submitted to the Minister within sixty days of the recording of the work and are approved.

(3) The said section 84 is amended by adding thereto the following subsection: R.S.O. 1960,
c. 241, s. 84,
amended

(9a) A geochemical survey, satisfactory to the Minister, of a mining claim may be recorded as work on the claim at the rate of one day's work in respect of each man necessarily employed in linecutting or chaining for each eight hours of his employment and at the rate of seven days' work in respect of each man necessarily employed in work relating to the geochemical survey for each eight hours of his employment, not exceeding a total of forty days' work in respect of each claim, but no credit shall be given for more than twelve hours in any day in respect of any man, and credit for the work shall be cancelled by the recorder unless full reports and plans in duplicate, satisfactory to the Minister, are submitted to the Minister within sixty days of the recording of the work and are approved. Geochemical
survey to
count as
work

(4) Subsection 11 of the said section 84 is amended by inserting after "geological" in the first line "geochemical", so that the subsection shall read as follows: R.S.O. 1960,
c. 241, s. 84,
subs. 11,
amended

(11) Subsection 6 of section 83 does not apply to geological, geochemical and geophysical work, and for the purposes of this Act such work shall be deemed to have been performed equally on each claim actually covered by the survey, and shall be recorded accordingly and in no other way. Certain
work
excepted
from s. 83,
subs. 6

(5) Subsection 12 of the said section 84 is amended by adding at the commencement thereof "Subject to subsection 2 of section 164", so that the subsection shall read as follows: R.S.O. 1960,
c. 241, s. 84,
subs. 12,
amended

(12) Subject to subsection 2 of section 164, shaft sinking, drifting or other lateral work that is at least 10 feet below the surface and the opening of which is at least 5 feet by 7 feet counts as work at the rate of four days' work in respect of each man employed in the work for each six hours of the employment, but no credit shall be given for more than twelve hours in any day in respect of any man. Shaft
sinking,
etc., subject
to s. 164,
subs. 2

R.S.O. 1960,
c. 241, s. 84,
amended

(6) The said section 84 is further amended by adding thereto the following subsection:

Work
credits

(15) Notwithstanding subsection 3 of section 83, assessment work credits requiring the approval of the Minister under this section are final.

R.S.O. 1960,
c. 241, s. 92,
amended

11. Section 92 of *The Mining Act*, as amended by section 26 of *The Mining Amendment Act, 1962-63* and subsections 1 and 2 of section 4 of *The Mining Amendment Act, 1965*, is further amended by adding thereto the following subsection:

Relief
against
forfeiture

(11) Where the licence of the claim holder has expired and there is no adverse interest, a recorder may, within three months of the expiry, make an order relieving the claim from forfeiture and authorizing special renewal of the licence on payment of twice the prescribed fee, and such order has the same effect as though issued under clause *a* of subsection 1.

R.S.O. 1960,
c. 241,
amended

12. *The Mining Act* is amended by adding thereto the following section:

Reserva-
tions, etc.,
in leases

101.—(1) Every lease issued under this Act shall contain the following reservations or provisions:

Reservation
for roads

1. Provided that nothing whatsoever herein contained shall prevent or interfere with the free user of any public or travelled road or highway crossing the hereinbefore described premises.

Reservation
for power,
petroleum,
etc.

2. Reserving unto Us, Our Heirs and Successors such use of the land hereby demised for all such works as may be necessary for the development of water power and the development, transmission and distribution of electrical power, natural gas, petroleum and petroleum products, including the construction, maintenance and operation of roads, railroads, transmission lines and stations, flumes, pipelines, dams, power houses and other works and structures without any liability by Us to the Lessee.

Reservation
for railways

3. Reserving the right to grant without compensation to any person or corporation the right-of-way necessary for the construction and operation of one or more railways over or across the lands herein leased without let or

hindrance

hindrance from the Lessee where such railway or railways shall not manifestly or materially interfere with the mining operations carried on upon the said premises.

4. Saving, Excepting and Reserving unto Us, Our Heirs and Successors the free use, passage and enjoyment of, in, over and upon all navigable waters which shall or may hereafter be found on or under or to be flowing through or upon any part of the said parcel or tract of land hereby demised as aforesaid and reserving also right of access to the shores of all rivers, streams and lakes for all vessels, boats and persons, together with the right to use so much of the banks thereof not exceeding one chain in depth from the highwater mark as may be necessary for fishery or public purposes.

Reservation
for
navigable
waters

Provided that, should the premises herein described or any part thereof be covered by navigable waters, this lease shall be subject to the provisions of the *Navigable Waters Protection Act* (Canada), *The Beds of Navigable Waters Act* and *The Lakes and Rivers Improvement Act*.

R.S.C. 1952,
c. 193
R.S.O. 1960,
cc. 32, 203

5. Provided that nothing herein contained shall in any manner restrict fishing or fishing rights in any navigable waters covering the premises hereby demised and that the said Lessee shall not do any act resulting in damage to fishing or the fishing industry in the said waters or to nets or other appliances used in fishing in such waters.
6. Provided that these presents shall not vest in the Lessee any right, claim or title to the land under navigable waters which may be included within the limits of the herein described premises, but the Lessee shall have the exclusive right to extract the minerals therefrom during the term of these presents.
- (2) Item 2 of subsection 1 does not apply to a lease of the mining rights only.
- (3) The Minister may direct the inclusion of other reservations or provisions provided for in this Act or not inconsistent with the intent of this Act.

Reservation
for fishing

Reservation
for land
under
navigable
waters

Where
item 2
does not
apply

Other
reservations

R.S.O. 1960,
c. 241,
amended

13. *The Mining Act* is amended by adding thereto the following section:

Surveys
under
annulments

108a. Where patents, leases, licences or other instruments of title have been issued under this Act for any land or mining rights affected by an annulment under subsection 1 of section 10 of *The Public Lands Act*, the Deputy Minister, whether or not the land has been registered under *The Land Titles Act* or *The Registry Act*, may cause such instrument of title to be cancelled and an instrument containing a revised description of the land or mining rights to be issued in its stead, and the corrected instrument shall relate back to the date of the one so cancelled and has the same effect as if issued on the date of the cancelled instrument.

R.S.O. 1960,
c. 324,
204, 348

R.S.O. 1960,
c. 241, s. 115,
re-enacted

14. Section 115 of *The Mining Act* is repealed and the following substituted therefor:

Regulations
for boring
permits

115. Notwithstanding anything in sections 113 and 114, the Minister, with the approval of the Lieutenant Governor in Council, may make such regulations as he thinks fit respecting the issue of boring permits authorizing the holders thereof to prospect for petroleum or natural gas in that part of Ontario lying north of the fifty-first parallel of latitude and predominately underlain with paleozoic rock formations and for the issue of leases upon such terms as the Minister sees fit.

R.S.O. 1960,
c. 241,
amended

15. *The Mining Act* is amended by adding thereto the following Part:

PART VI

EXPLORATORY LICENCES AND PRODUCTION LEASES IN PALEOZOIC ROCK FORMATIONS

Regulations
for map
staking

117a. The Minister, with the approval of the Lieutenant Governor in Council, may make regulations respecting licences to explore for and leases to mine minerals in designated areas in that part of Ontario lying north of the fifty-first parallel of latitude and predominately underlain with paleozoic rock formations.

R.S.O. 1960,
c. 241, s. 129,
amended

16. Section 129 of *The Mining Act* is amended by adding thereto the following subsection:

(2) Subsection 1 does not apply to cancellations or forfeitures provided for in this Act or in the patent.

Where cancellations permitted

17. Subsection 6 of section 134 of *The Mining Act*, as enacted by section 38 of *The Mining Amendment Act, 1962-63*, is amended by striking out "or" at the end of clause *b*, by adding "or" at the end of clause *c* and by adding thereto the following clause:

R.S.O. 1960, c. 241, s. 134, subs. 6 (1962-63, c. 84, s. 38), amended

(d) to replace missing corner posts and witness posts and to affix tags to such posts,

.

18. *The Mining Act* is amended by adding thereto the following section:

R.S.O. 1960, c. 241, amended

679. Where under this Part or section 106, 655 or 656 a dominant tenement reverts to and becomes vested in the Crown, any easement appurtenant thereto passes to the Crown, and, where a servient tenement reverts to and becomes vested in the Crown, any easement to which the servient tenement is subject is not affected.

Lands and easements revert to Crown

19. Item 4 of the Schedule to *The Mining Act* is repealed and the following substituted therefor:

R.S.O. 1960, c. 241, Sched., item 4, re-enacted

4. For recording each mining claim staked out by a licensee..... \$10.00

20. This Act comes into force on the day it receives Royal Assent.

Commencement

21. This Act may be cited as *The Mining Amendment Act, 1967*.

Short title

CHAPTER 55

An Act to amend The Municipal Act

Assented to June 15th, 1967
Session Prorogued June 15th, 1967

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) Subsection 10 of section 14 of *The Municipal Act*, R.S.O. 1960, c. 249, s. 14, subs. 10, amended as amended by section 3 of *The Municipal Amendment Act, 1965* and section 2 of *The Municipal Amendment Act, 1966*, is further amended by adding thereto the following clause:

(ja) where by reason of annexation or amalgamation orders made under this section within any three-year period a county will be deprived of not less than a total of 15 per cent of what its equalized assessment would have been except for such annexations or amalgamations, and no order has been made under clause *j*, authorize and direct the payment to such county by the annexing or amalgamated municipality, to relieve such county from any undue burden by reason of the loss of such assessment, of compensating grants during a period of not more than five years after the effective date of the last annexation or amalgamation in such amounts and manner as may be agreed upon between the county and the annexing or amalgamated municipality and approved by the Municipal Board or, failing agreement, as the Municipal Board may deem equitable after a public hearing in each case.

(2) Subsection 22 of the said section 14 is repealed and the following substituted therefor: R.S.O. 1960, c. 249, s. 14, subs. 22, re-enacted

(22) Where part of a local municipality becomes part of a local municipality in another county or territorial district, it thereafter forms part of that county or territorial district except for the purpose of representation in the Assembly. Adding parts to municipality in another county or territorial district

R.S.O. 1960,
c. 249, s. 19,
subs. 1,
amended

2. Subsection 1 of section 19 of *The Municipal Act* is amended by striking out "for all purposes stands in the place and stead of the annexed or former municipality or municipalities" in the thirteenth and fourteenth lines and inserting in lieu thereof "and its local boards for all purposes stand in the place and stead of the annexed or former municipality or municipalities and its or their local boards", so that the subsection shall read as follows:

Assets, etc.,
on annexa-
tions, amal-
gamations,
erections

(1) Where,

- (a) the whole of a municipality is annexed to another municipality;
- (b) two or more municipalities are amalgamated;
- (c) an improvement district is erected into a village, township or town;
- (d) a village is erected into a town;
- (e) a village, town or township is erected into a city,

all the assets and liabilities of the annexed or former municipality or municipalities and its or their local boards are assets and liabilities of the annexing or new municipality and its local boards, and the annexing or new municipality and its local boards for all purposes stand in the place and stead of the annexed or former municipality or municipalities and its or their local boards.

R.S.O. 1960,
c. 249, s. 32
(1966, s. 5),
c. 93, s. 5),
subs. 3,
amended

3. Subsection 3 of section 32 of *The Municipal Act*, as re-enacted by section 5 of *The Municipal Amendment Act, 1966*, is amended by striking out "mayor" in the third line and inserting in lieu thereof "reeve", so that the subsection shall read as follows:

Election
by wards

- (3) If the village or township has been divided into wards, the council may provide that the council shall consist of a reeve and one councillor for each ward and the remaining councillors to complete the full number of four, six, seven or nine, as the case may be, to be elected by general vote.

R.S.O. 1960,
c. 249, s. 35,
subs. 1,
cl. m,
amended

4.—(1) Clause *m* of subsection 1 of section 35 of *The Municipal Act* is amended by inserting after "board" in the second line "whose term of office has at least two months to run after the day on which the nomination meeting for a new election is to be held", so that the clause shall read as follows:

(*m*)

- (m) a member of a board of education or of a public, separate or high school board, whose term of office has at least two months to run after the day on which the nomination meeting for a new election is to be held, unless before the opening of the nomination meeting he has filed his resignation with the secretary of the board.

(2) Clause *l* of subsection 3 of the said section 35, as enacted by subsection 4 of section 3 of *The Municipal Amendment Act, 1961-62*, is repealed and the following substituted therefor:

R.S.O. 1960,
c. 249, s. 35,
subs. 3, cl. *l*
(1961-62,
c. 86, s. 3,
subs. 4),
re-enacted

- (*l*) of his having entered into an agreement with the corporation in respect of the acquisition of land by the corporation for a road-widening or curve-adjustment or in a redevelopment area designated by the council with the approval of the Minister under subsection 2 of section 20 of *The Planning Act* or of his having any claim or proceeding against the corporation in respect of such acquisition of land.

R.S.O. 1960,
c. 296

5. Subsection 9 of section 37 of *The Municipal Act* is amended by striking out "may" in the ninth line and inserting in lieu thereof "shall", so that the subsection shall read as follows:

R.S.O. 1960,
c. 249, s. 37,
subs. 9,
amended

- (9) Where after the voters' list has been finally revised and the name of a person entitled to be entered thereon under this section by reason of being the wife or husband of a person rated or entitled to be rated for land as owner or tenant has been omitted therefrom, if the person rated or entitled to be rated for land as owner or tenant is entered on the last revised assessment roll or has been added to the assessment roll under section 54 of *The Assessment Act* and such wife or husband is not otherwise disqualified, the clerk shall issue a certificate (Form 10) authorizing the returning officer or proper deputy returning officer or proper poll clerk to enter the name of such wife or husband on the voters' list to entitle her or him to vote as if her or his name had been entered thereon before the list was revised.

R.S.O. 1960,
c. 23

6.—(1) Clause *c* of subsection 1 of section 48 of *The Municipal Act*, as amended by section 8 of *The Municipal Amendment Act, 1965*, is repealed and the following substituted therefor:

R.S.O. 1960,
c. 249, s. 48,
subs. 1, cl. *c*,
re-enacted

- (c) a certificate of the treasurer or collector that there were, at the time of the opening of the nomination meeting, no unpaid taxes for any preceding year against the land in respect of which he is qualifying or a statutory declaration to the same effect or a statutory declaration that he is qualifying in respect of land of which he is a tenant where the taxes in respect of the land are, under the terms of tenancy, payable by the owner of the land and that the rental therefor is not overdue and unpaid at the time of the opening of the nomination meeting; and

.

R.S.O. 1960,
c. 249, s. 48,
subs. 1, cl. d
(1965,
c. 77, s. 8),
re-enacted

- (2) Clause *d* of subsection 1 of the said section 48, as enacted by section 8 of *The Municipal Amendment Act, 1965*, is repealed and the following substituted therefor:

- (d) a certificate of the treasurer or collector that there were, at the time of the opening of the nomination meeting, no unpaid taxes against him in respect of an assessment for business or a statutory declaration to the same effect.

R.S.O. 1960,
c. 249,
s. 144, cl. g,
amended

- 7.—(1) Clause *g* of section 144 of *The Municipal Act* is amended by striking out “elected” in the first line and inserting in lieu thereof “appointed”, so that the clause shall read as follows:

- (g) is appointed to fill a vacancy in the office of mayor, reeve or deputy reeve; or

.

R.S.O. 1960,
c. 249,
s. 144, cl. h,
amended

- (2) Clause *h* of the said section 144 is amended by striking out “elected” in the first line and inserting in lieu thereof “appointed”, so that the clause shall read as follows:

- (h) is appointed to fill a vacancy in the board of control,

.

R.S.O. 1960,
c. 249,
s. 205,
subs. 2,
amended

8. Subsection 2 of section 205 of *The Municipal Act* is amended by striking out “elect” in the second line and inserting in lieu thereof “appoint”, so that the subsection shall read as follows:

Filling
vacancies

- (2) If a vacancy occurs in the office of controller, the council, at a meeting called for that purpose, shall appoint a person to fill the vacancy for the unexpired term of the member whose seat has become vacant.

9.—(1) Clause *e* of subsection 1 of section 206 of *The Municipal Act* is repealed. R.S.O. 1960,
c. 249, s. 206,
subs. 1, cl. *e*,
repealed

(2) The said section 206 is amended by adding thereto the following subsection: R.S.O. 1960,
c. 249,
s. 206,
amended

(1a) The board of control may dismiss or suspend any head of a department and shall forthwith report such dismissal or suspension to the council. Dismissal
of depart-
ment heads

(3) Subsection 18 of the said section 206 is repealed. R.S.O. 1960,
c. 249,
s. 206,
subs. 18,
repealed

10. Section 207 of *The Municipal Act*, as amended by section 30 of *The Municipal Amendment Act, 1961-62* and section 10 of *The Municipal Amendment Act, 1966*, is repealed. R.S.O. 1960,
c. 249,
s. 207,
repealed

11. Subsection 5 of section 238 of *The Municipal Act* is repealed and the following substituted therefor: R.S.O. 1960,
c. 249,
s. 238,
subs. 5,
re-enacted

(5) Notwithstanding any other Act, in any proceeding to which a municipality is a party, costs adjudged to the municipality shall not be disallowed or reduced merely because the solicitor or the counsel who earned such costs, or in respect of whose services the costs are charged, was a salaried officer of the municipality performing such services in the discharge of his duty and remunerated therefor by his salary, or for that or any other reason was not entitled to recover any costs from the municipality in respect of the services so rendered, and the costs recovered by or on behalf of the municipality in any such case shall be paid into the general funds of the municipality. Costs of
municipality
in any
proceeding

12. Clause *n* of subsection 2 of section 286 of *The Municipal Act* is repealed and the following substituted therefor: R.S.O. 1960,
c. 249,
s. 286,
subs. 2,
cl. *n*,
re-enacted

(*n*) agreements respecting homes under *The Homes for the Aged and Rest Homes Act*. R.S.O. 1960,
c. 174

13.—(1) Subsection 1 of section 294a of *The Municipal Act*, as enacted by section 11 of *The Municipal Amendment Act, 1960-61*, is repealed and the following substituted therefor: R.S.O. 1960,
c. 249,
s. 294a
(1960-61,
c. 59, s. 11),
subs. 1,
re-enacted

(1) Notwithstanding section 294, the council of every local municipality may by by-law passed before the adoption of the estimates in any year provide that in that year and in each succeeding year the council may, before the adoption of the estimates for the year, levy on the whole of the assessment for real property according to the last revised assessment Levy
authorized
before
estimates
adopted

roll a sum not exceeding 50 per cent of that which would be produced by applying to such assessment the total rate for all purposes levied in the preceding year on residential real property of public school supporters, and such by-law shall remain in force from year to year until it is repealed and any by-law repealing such by-law shall be effective only at the end of any year.

R.S.O. 1960,
c. 249,
s. 294*a*,
subs. 1*a*
(1966,
c. 93, s. 17,
subs. 1),
re-enacted

(2) Subsection 1*a* of the said section 294*a*, as enacted by subsection 1 of section 17 of *The Municipal Amendment Act, 1966*, is repealed and the following substituted therefor:

Business
assessment

(1*a*) Where the council of a local municipality has not provided for taking the assessment of business during the same year in which the rates of taxation thereon are to be levied under section 130 of *The Assessment Act*, the council, notwithstanding section 294, may by by-law passed before the adoption of the estimates in any year provide that in that year and in each succeeding year the council may, before the adoption of the estimates for the year, levy on the whole of the business assessment according to the last revised assessment roll a sum not exceeding 50 per cent of that which would be produced by applying to such assessment the total rate for all purposes levied in the preceding year on business assessment of public school supporters, and such by-law shall remain in force from year to year until it is repealed and any by-law repealing such by-law shall be effective only at the end of any year.

R.S.O. 1960,
c. 249,
s. 333,
amended

14. Section 333 of *The Municipal Act*, as amended by section 8 of *The Municipal Amendment Act, 1964*, is further amended by adding thereto the following subsection:

Lease

(1*a*) Without limiting the generality of this section, in subsection 1 "otherwise dispose of" shall be deemed to include and to have always included a lease.

R.S.O. 1960,
c. 249,
s. 377,
par. 11
(1962-63,
c. 37, s. 15,
subs. 1),
re-enacted

15.—(1) Paragraph 11 of section 377 of *The Municipal Act*, as re-enacted by subsection 1 of section 15 of *The Municipal Amendment Act, 1962-63*, is repealed and the following substituted therefor:

Officers
becoming
members of
associations
for
improving
technical
skill

11. For any of the elected or appointed officers of the corporation becoming members of any municipal union or association or any other association for extending and improving the technical skill of such officers in the discharge of their municipal duties,

and

and for paying the whole or part of the fees for such membership or for tuition of officers or employees enrolled in any course of instruction sponsored by such union or association, and for paying the expenses of such officers attending any meeting of such union or association or upon its business.

(2) Clause *b* of paragraph 60 of the said section 377, as amended by subsection 3 of section 22 of *The Municipal Amendment Act, 1966*, is repealed and the following substituted therefor:

R.S.O. 1960,
c. 249,
s. 377,
par. 60,
cl. *b*,
re-enacted

(*b*) A by-law passed under this paragraph may provide, upon such terms and conditions as may be prescribed, for placing to the credit of an employee formerly employed by another municipality or local board which had established a sick leave credit plan under this or any other general or special Act the whole or any part of the sick leave credits standing to the credit of the employee in the plan of the municipality or local board formerly employing the employee.

Allowing
of credits
on transfer
of
employment

(3) Clause *c*, as enacted by subsection 2 of section 14 of *The Municipal Amendment Act, 1960-61*, and clause *d*, as enacted by subsection 4 of section 22 of *The Municipal Amendment Act, 1966*, of paragraph 60 of the said section 377 are repealed and the following substituted therefor:

R.S.O. 1960,
c. 249,
s. 377,
par. 60, cl. *c*
(1960-61,
c. 59, s. 14,
subs. 2),
re-enacted;
cl. *d*,
(1966,
c. 93, s. 22,
subs. 4),
repealed

(*c*) Any local board, except a school board, may establish a plan of sick leave credit gratuities for employees or any class thereof, and the provisions of this paragraph apply *mutatis mutandis* thereto.

Local
boards

16.—(1) Paragraph 1 of subsection 1 of section 379 of *The Municipal Act* is amended by inserting after “foxes” in the second line “reptiles”, so that the paragraph shall read as follows:

R.S.O. 1960,
c. 249,
s. 379,
subs. 1,
par. 1,
amended

1. For regulating the keeping of domestic fowl or pigeons or cattle, goats, swine, horses, rabbits, mink, foxes, reptiles or other animals, or kennels for the breeding or boarding of cats and dogs, within the municipality or defined areas thereof.

Regulating
the keeping
of animals,
etc.

(2) Paragraph 1*a* of subsection 1 of the said section 379, as enacted by subsection 1 of section 27 of *The Municipal Amendment Act, 1965*, is amended by inserting after “foxes” in the third line “reptiles”, so that the paragraph shall read as follows:

R.S.O. 1960,
c. 249,
s. 379,
subs. 1,
par. 1*a*
(1965,
c. 77, s. 27,
subs. 1),
amended

Restricting
number of
animals that
may be kept

- 1a. For restricting the number of domestic fowl or pigeons or cattle, goats, swine, horses, rabbits, mink, foxes, reptiles or other animals that may be kept by any person within the municipality or defined areas thereof.

R.S.O. 1960,
c. 249,
s. 379,
subs. 1,
par. 2,
amended

- (3) Paragraph 2 of subsection 1 of the said section 379 is amended by inserting after "foxes" in the second line "reptiles", so that the paragraph shall read as follows:

Prohibiting
keeping of
animals, etc.

2. For prohibiting the keeping of domestic fowl or cattle, goats, swine, rabbits, mink, foxes, reptiles or other animals, except horses or mules, within the municipality or defined areas thereof.

R.S.O. 1960,
c. 249,
s. 379,
subs. 1,
par. 114,
re-enacted

- (4) Paragraph 114 of subsection 1 of the said section 379 is repealed and the following substituted therefor:

Noise

114. For prohibiting or regulating, within the municipality or within any defined area or areas thereof, the ringing of bells, the blowing of horns, shouting and unusual noises, or noises likely to disturb the inhabitants.

R.S.O. 1960,
c. 249,
s. 401,
par. 5,
re-enacted

17. Paragraph 5 of section 401 of *The Municipal Act* is repealed and the following substituted therefor:

Electrical
workers

5. For examining, licensing, regulating and governing electrical contractors and master electricians or for permitting them by reason of registration with the Electrical Contractors Association of Ontario or other qualification to carry on their trade without examination or licence, or both.

- (a) In this paragraph, "master electrician" means a person who is skilled in the planning, superintending and installing of wires, conduits, apparatus, fixtures or other appliances for the carrying or using of electricity for light, heat or power purposes, who is familiar with the laws, rules and regulations governing the same, who has a regular place of business in the municipality and who, himself, or by journeymen electricians in his employ, performs electrical work; and "journeyman electrician" means a person who has been issued a certificate of qualification in the trade of electrician by the Department of Labour.

- (b) The by-law does not apply to the employees of a public service commission or corporation.

18. Section 406a of *The Municipal Act*, as enacted by R.S.O. 1960, c. 249, s. 406a (1961-62, c. 86, s. 45), re-enacted

406a. The council of a municipality may pass by-laws for providing by contract with an insurer licensed under *The Insurance Act*, Accident, etc., insurance re members of council R.S.O. 1960, c. 190

- (a) group accident insurance to indemnify any member of council or his estate against loss in case he is accidentally killed or injured; and
- (b) group public liability and property damage insurance to indemnify any member of council or his estate in respect of loss or damage for which he has become liable by reason of injury to persons or property or in respect of loss or damage suffered by him by reason of injury to his own property,

while travelling on the business of the corporation or in the performance of his duties as a member of council either within or outside the municipality.

19. Section 409 of *The Municipal Act* is repealed and the following substituted therefor: R.S.O. 1960, c. 249, s. 409, re-enacted

409. A member of the council of a village or township having a population of 3,000 or less may be appointed commissioner, superintendent or overseer of any work, other than a highway, undertaken wholly or in part at the expense of the corporation, and may be paid the like remuneration for his services as if he were not a member of the council. Appointment of member of council as commissioner, etc.

20. Paragraph 3 of section 469 of *The Municipal Act*, as re-enacted by section 34 of *The Municipal Amendment Act, 1966*, is repealed and the following substituted therefor: R.S.O. 1960, c. 249, s. 469, par. 3 (1966, c. 93, s. 34), re-enacted

3. For permitting the owners of land to make, maintain and use areas under and openings to them in the highways and sidewalks and for permitting the owners or lessees of land abutting on one side of a highway to construct, maintain and use a bridge or other structure over, across or under the highway for the purpose of access to land on the other side of the highway, which any such owner or lessee owns or

leases

leases or in respect of which he has a licence of occupation, and for permitting the owners of land to maintain and use signs and other advertising devices that project over the sidewalks, movable receptacles containing plants, shrubs or trees over or upon the sidewalks and canopies that project over the sidewalks, and for permitting the owners or lessees of land to make, maintain and use over the sidewalks and untravelled portions of the highway covers of cloth, rubber, plastic or similar material with suitable frames therefor at a height of not less than eight feet above the highway together with posts for the support of such cover and frame, and for permitting the owners or lessees of land to install, maintain and use heating devices in, under, over or upon the sidewalks, and for prescribing the terms and conditions upon which the same shall be made, constructed, installed, maintained and used and for making such annual or other charge for the privilege conferred by the by-law as the council may deem reasonable, and for providing that, upon the termination of such privilege, the highway shall be restored to its former condition at the expense of the owner or lessee of the land, to which the privilege is appurtenant, by filling in the area or opening, removing the bridge, structure, sign or other advertising device, receptacle, canopy, cover, frame and posts or heating device or otherwise as may be required by the by-law.

Charge

- (a) Such annual or other charge and any expense incurred by the corporation in restoring the highway to its former condition is payable, and payment of it may be enforced in like manner as taxes are payable, and payment of them may be enforced.

Liability
of corpora-
tion for
damages

- (b) The corporation is liable for any want of repair of the highway that may result from the construction, installation, maintenance and use of any such area or opening, bridge or structure, sign or advertising device, receptacle, canopy, cover, frame and posts or heating device, but is entitled to the remedy over provided for by section 450 against the person by whose act or omission the want of repair is caused.

R.S.O. 1960,
c. 249,
s. 522,
subs. 8,
re-enacted

21. Subsection 8 of section 522 of *The Municipal Act* is repealed and the following substituted therefor:

- (8) The board shall appoint a secretary-treasurer who ^{Secretary-treasurer} may be a member of the board, who shall hold office during pleasure and, with respect to the improvement district, has the powers and shall perform the duties of,

- (a) the clerk, treasurer and collector of a municipality;
- (b) the assessor of a municipality, except where a county assessment commissioner or district assessor has been appointed for the county or district in which the improvement district is situated; and
- (c) the secretary and treasurer of every local board of which the members are the members of the board of trustees.

22. Notwithstanding that the improvement districts of Dorion, Sioux Narrows and Bicroft do not have the population required for the purpose of subsection 1 or 2 of section 11 of *The Municipal Act*, an application may be made under such subsection 1 or 2 by any of such improvement districts or by the Minister of Municipal Affairs when authorized by the Lieutenant Governor in Council for the erection of the improvement district into a village or a township. ^{Authority to apply to erect certain improvement districts into a village or township R.S.O. 1960, c. 249}

23.—(1) The council of The Corporation of the County of Huron may pass by-laws for making grants in aid of persons whose property within the County suffered injury or damage as a result of the tornado which occurred on or about the 17th day of April, 1967. ^{Grants for tornado damage, in Huron County}

(2) The council of The Corporation of the County of Perth may pass by-laws for making grants in aid of persons whose property within the County suffered injury or damage as a result of the tornado which occurred on or about the 17th day of April, 1967. ^{in Perth County}

24.—(1) This Act, except section 19, comes into force on the day it receives Royal Assent. ^{Commencement}

(2) Section 19 comes into force on the 1st day of January, 1968. ^{Idem}

25. This Act may be cited as *The Municipal Amendment Act, 1967*. ^{Short title}

CHAPTER 56

**An Act to provide for Municipal
and School Tax Credits for the
Assistance of Elderly Persons**

*Assented to June 15th, 1967
Session Prorogued June 15th, 1967*

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. In this Act, “municipal taxes” means taxes imposed for municipal and school purposes in respect of real property assessed as residential or farm property and includes local improvement or other special rates. <sup>Interpre-
tation</sup>

2.—(1) Notwithstanding any general or special Act, the council of any local municipality may pass by-laws authorizing and directing the treasurer of the municipality to allow a credit or refund equivalent to one-half of the municipal taxes imposed in respect of any real property that is owned and occupied by a person, or by the husband or wife of such person, or by both, as his, her or their personal residence, where such person, or the husband or wife of such person, is sixty-five years of age or over, provided that, <sup>Municipal
and school
tax credit
by-law</sup>

- (a) no credit or refund shall exceed the sum of \$150 in any one year;
- (b) no credit or refund shall be allowed to any person in respect of more than one such property in any one year;
- (c) no credit or refund shall be allowed to any person who has not made application therefor in the year in which the municipal taxes in respect of which such credit or refund is claimed become due and payable;
- (d) a credit shall be allowed for municipal taxes imposed on any real property only on payment of the remaining portion of such municipal taxes;

(e)

- (e) no refund shall be allowed for municipal taxes imposed on any real property in any year unless such municipal taxes have been paid in full in that year; or
- (f) notwithstanding clause e, where the amount of an allowable credit of municipal taxes in any year is greater than the amount of such municipal taxes unpaid in that year, the difference between such amounts may be refunded and the unpaid portion may be allowed as a credit.

Administra-
tion, regu-
lations re

(2) Any by-law passed under this section may prescribe such regulations with respect to the administration thereof, not inconsistent with this section or the regulations made under this section, as the council of the municipality may deem proper.

Lien on
real
property

(3) The amount of any such credit or refund allowed from time to time shall be a lien in favour of the Treasurer of Ontario upon the real property in respect of which such credit or refund has been so allowed and shall be in priority,

(a) to any encumbrance upon such property arising before or after the date of registration of the notice mentioned in subsection 5 if the encumbrancer is a relative by blood or marriage of the person to whom the credit was allowed; or

(b) to any other encumbrance upon such property arising after the date of registration of the notice mentioned in subsection 5.

When lien
payable

(4) The amount of such lien shall become due and be paid to the Treasurer of Ontario upon any change in ownership of such real property except,

(a) where the new owner is the husband, wife, brother or sister of the person to whom a credit or refund was allowed and is a person entitled to a credit or refund under a by-law passed under this section; or

(b) by way of a mortgage other than a sale or foreclosure under such mortgage.

Registration
of notice of
credit or
refund and
certificate of
discharge

(5) Where a by-law passed under this section is in force in a municipality, forthwith after a credit or refund has been allowed under such by-law for the first time in respect of any real property or for the first time after a lien under this Act in respect of any real property has been discharged, a notice signed by the treasurer of the municipality stating that a credit or refund has been allowed together with a description

of the real property sufficient for registration shall be registered by him in the proper registry or land titles office and, upon payment in full to the Treasurer of Ontario by the owner of the real property or by someone on his behalf of the amount of all outstanding credits and refunds allowed in respect of such property, a certificate of the Treasurer of Ontario showing such payment shall be similarly registered, and thereupon the lien in respect of such real property is discharged.

(6) Every local municipality that has passed a by-law under this Act may apply to the Department of Municipal Affairs, in the manner prescribed by the regulations made under this section, requesting that it be reimbursed for the amount of credits and refunds allowed under such by-law in any year, and the Treasurer of Ontario shall pay to the municipality the total amount of such credits and refunds in respect of real property against which notices have been registered under subsection 5.

Payment by
Province of
amount of
credits and
refunds
allowed

(7) The Lieutenant Governor in Council may make regulations prescribing forms for use under this Act and the manner in which applications for reimbursement may be made and generally for the administration of this Act.

Regulations

3. Every board of a public school section, separate school zone or high school district in territory without municipal organization has the powers of the council of a local municipality under this Act, which applies *mutatis mutandis* to such a board, and, where the treasurer of a municipality is referred to in this Act, it shall be deemed a reference to the treasurer of such a board.

School
boards in
territory
without
municipal
organiza-
tion

4. The moneys required for the purposes of this Act shall be paid out of the Consolidated Revenue Fund.

Moneys out
of Consol.
Rev. Fund

5.—(1) Section 1 of *The Town of Burlington Act, 1967* is repealed on the 1st day of January, 1968, and any by-law passed thereunder, unless earlier repealed, is repealed on the 1st day of January, 1968.

Idem
1967, c. 109

(2) *The Town of Amherstburg Act, 1967* is repealed on the 1st day of January, 1968, and any by-law passed thereunder, unless earlier repealed, is repealed on the 1st day of January, 1968.

Idem
1967, c. 107

6.—(1) This Act, except sections 1, 2, 3 and 4, comes into force on the day it receives Royal Assent.

Commence-
ment

Idem

(2) Sections 1, 2, 3 and 4 shall be deemed to have come into force on the 1st day of January, 1967.

Short title

7. This Act may be cited as *The Municipal and School Tax Credit Assistance Act, 1967*.

CHAPTER 57

**An Act to amend
The Municipal Unconditional Grants Act**

*Assented to April 26th, 1967
Session Prorogued June 15th, 1967*

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. The Schedule to *The Municipal Unconditional Grants Act*, as re-enacted by section 2 of *The Municipal Unconditional Grants Amendment Act, 1964*, is repealed and the following substituted therefor:

R.S.O. 1960,
c. 259,
Sched.
(1964,
c. 69, s. 2),
re-enacted

SCHEDULE

(Section 7)

In recognition of the expenditures that local municipalities are required to make to provide municipal services and in recognition of the larger per capita expenditures that municipalities with larger populations are required to make on certain municipal services, the following unconditional per capita grants, to be used to reduce the amount of taxes to be levied on residential and farm assessment, as required under section 294 of *The Municipal Act*:

1. To a metropolitan municipality or city,
 - (a) having a population of 750,000 or more, \$7.00 per capita;
 - (b) having a population of 400,000 or more but less than 750,000, \$6.50 per capita if located in a county, and \$5.50 per capita if located in a territorial district;
 - (c) having a population of 200,000 or more but less than 400,000, \$6.00 per capita if located in a county, and \$5.00 per capita if located in a territorial district;
 - (d) having a population of 75,000 or more but less than 200,000, \$5.75 per capita if located in a county, and \$4.75 per capita if located in a territorial district;
 - (e) having a population of less than 75,000, \$5.50 per capita if located in a county, and \$4.50 per capita if located in a territorial district.
2. To a town or village,
 - (a) having a population of 10,000 or more, \$5.25 per capita if located in a county, and \$4.25 per capita if located in a territorial district;

(b)

- (b) having a population of 7,000 or more but less than 10,000, \$5.00 per capita if located in a county, and \$4.00 per capita if located in a territorial district;
- (c) having a population of 5,000 or more but less than 7,000, \$4.75 per capita if located in a county, and \$3.75 per capita if located in a territorial district;
- (d) having a population of 2,000 or more but less than 5,000, \$4.60 per capita if located in a county, and \$3.60 per capita if located in a territorial district;
- (e) having a population of less than 2,000, \$4.50 per capita if located in a county, and \$3.50 per capita if located in a territorial district.

3. To a township,

- (a) having a population of 20,000 or more, \$5.25 per capita if located in a county, and \$4.25 per capita if located in a territorial district;
- (b) having a population of 15,000 or more but less than 20,000, \$5.00 per capita if located in a county, and \$4.00 per capita if located in a territorial district;
- (c) having a population of 10,000 or more but less than 15,000, \$4.85 per capita if located in a county, and \$3.85 per capita if located in a territorial district;
- (d) having a population of 5,000 or more but less than 10,000, \$4.75 per capita if located in a county, and \$3.75 per capita if located in a territorial district;
- (e) having a population of 2,000 or more but less than 5,000, \$4.60 per capita if located in a county, and \$3.60 per capita if located in a territorial district;
- (f) having a population of less than 2,000, \$4.50 per capita if located in a county, and \$3.50 per capita if located in a territorial district.

Commence-
ment

2. This Act shall be deemed to have come into force on the 1st day of January, 1967.

Short title

3. This Act may be cited as *The Municipal Unconditional Grants Amendment Act, 1967*.

CHAPTER 58

An Act to amend The Municipality of Metropolitan Toronto Act

*Assented to June 15th, 1967
Session Prorogued June 15th, 1967*

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Subsection 1 of section 17 of *The Municipality of Metropolitan Toronto Act*, as amended by subsection 1 of section 1 of *The Municipality of Metropolitan Toronto Amendment Act, 1960-61* and subsection 1 of section 4 of *The Municipality of Metropolitan Toronto Amendment Act, 1961-62*, is repealed and the following substituted therefor:

R.S.O. 1960,
c. 260, s. 17,
subs. 1,
re-enacted

(1) Sections 192, 193, 195, 197, 198, 199, 244, 253, 275 to 280, paragraphs 61 and 62 of section 377 and section 406a of *The Municipal Act* apply *mutatis mutandis* to the Metropolitan Corporation.

Application
of
R.S.O. 1960,
c. 249

2. *The Municipality of Metropolitan Toronto Act* is amended by adding thereto the following section:

R.S.O. 1960,
c. 260,
amended

70a. The Metropolitan Council may contribute toward the cost to any area municipality of the separation of sanitary and storm sewers now in existence in the area municipality such amount as it deems proper not exceeding 25 per cent of the total cost thereof to the area municipality.

Contribution
towards cost
of separation
of combined
sewers

3. Clause *a* of subsection 3 of section 73a of *The Municipality of Metropolitan Toronto Act*, as enacted by section 10 of *The Municipality of Metropolitan Toronto Amendment Act, 1966*, is amended by inserting after "the" where it occurs the second time in the first line "local", so that the clause shall read as follows:

R.S.O. 1960,
c. 260,
s. 73a
(1966,
c. 96, s. 10),
subs. 3,
cl. a,
amended

- (a) the approval of the local municipality in which the land is situate, which approval may be granted upon such terms and conditions as may be agreed upon; or

R.S.O. 1960,
c. 260,
amended

4. *The Municipality of Metropolitan Toronto Act* is amended by adding thereto the following section:

Agreements
for
pedestrian
walks

91a. The Metropolitan Corporation may by by-law authorize agreements between the Metropolitan Corporation and the owners or lessees of land abutting on a highway for the construction, maintenance and use of walks for pedestrians over, across or under the highway upon such terms and conditions as may be agreed and for contributing to the whole or any part of the cost thereof and for leasing or licensing the use of untravelled portions of such walks and adjoining lands to persons for such considerations and upon such terms and conditions as may be agreed.

R.S.O. 1960,
c. 260, s. 112,
subs. 2,
amended

5. Subsection 2 of section 112 of *The Municipality of Metropolitan Toronto Act* is amended by inserting after "of" where it occurs the first time in the second line "twice", so that the subsection shall read as follows:

Commission
contribu-
tions

- (2) No contract under subsection 1 shall authorize contributions by the Commission in excess of twice the total of those made by the employees.

R.S.O. 1960,
c. 260, s. 123,
subs. 1
(1965,
c. 81, s. 4),
re-enacted

6.—(1) Subsection 1 of section 123 of *The Municipality of Metropolitan Toronto Act*, as re-enacted by section 4 of *The Municipality of Metropolitan Toronto Amendment Act, 1965*, is repealed and the following substituted therefor:

Tax
exemption
re subway
and other
rapid transit

- (1) So long as any lands and easements owned by the Metropolitan Corporation or by the Commission are used by the Commission for the purpose of a subway or other rapid transit or as car yards or shops for or in connection with such subway or other rapid transit, such lands and easements and buildings and structures thereon so owned and used are exempt from business and real property taxation, and the Commission is not liable for payments in lieu thereof under section 43 of *The Assessment Act*.

R.S.O. 1960,
c. 23

R.S.O. 1960,
c. 260, s. 123,
subs. 2
(1965,
c. 81, s. 4),
re-enacted

(2) Subsection 2 of the said section 123, as re-enacted by section 4 of *The Municipality of Metropolitan Toronto Amendment Act, 1965*, is repealed and the following substituted therefor:

- (2) Subsection 1 does not apply to concessions operated, ^{Application to}
rented or leased in subway or rapid transit stations. ^{concessions}

7. Section 153 of *The Municipality of Metropolitan Toronto Act*, as re-enacted by section 15 of *The Municipality of Metropolitan Toronto Amendment Act, 1966*, is amended by striking ^{R.S.O. 1960, c. 260, s. 153 (1966, c. 96, s. 15), amended} out "*The Day Nurseries Act, 1966*" in the sixth line and inserting in lieu thereof "*The Day Nurseries Act*", so that the section shall read as follows:

153. For the purposes of the following Acts, the Metro- ^{Liability of Metro-}
politan Corporation shall be deemed to be a city and ^{politan}
no area municipality shall be deemed to be a muni- ^{Corporation}
cipality: ^{under}
^{R.S.O. 1960, cc. 14, 87, 173, 236, 425}

The Anatomy Act,

The Day Nurseries Act,

The Homemakers and Nurses Services Act,

The Mental Hospitals Act,

The War Veterans Burial Act.

8. *The Municipality of Metropolitan Toronto Act* is amended ^{R.S.O. 1960, c. 260, amended} by adding thereto the following section:

167. The Metropolitan Council may pass by-laws to ^{Special welfare assistance}
provide money for the health and welfare of the
resident poor not otherwise specifically provided for
in this Act.

9. Subclause iii of clause a of subsection 4 of section 231 ^{R.S.O. 1960, c. 260, s. 231, subs. 4, cl. a, subcl. iii, amended} of *The Municipality of Metropolitan Toronto Act* is amended by adding at the end thereof "and the assessment of lands not liable for business assessment under subsection 2 of section 9 of *The Assessment Act*", so that the subclause shall read as follows:

- (iii) the assessment for mineral lands, railway lands, other than railway lands actually in use for residential and farming purposes, and pipe lines and the assessment of telephone and telegraph companies and the assessment of lands not liable for business assessment under subsection 2 of section 9 of *The Assessment Act*, ^{R.S.O. 1960, c. 23}

10. The Metropolitan Council may make the following ^{Grants}
grants:

1. \$210,000, in equal instalments of \$105,000 in 1967 and 1968, to the Toronto Aged Men's and Women's Homes (Belmont Homes) toward the cost of constructing a home.
2. \$47,250, in equal instalments of \$15,750 in 1967, 1968 and 1969, to the Jewish Home for the Aged toward the cost of constructing a home.

Maintenance
assistance
payments
re children
in Salvation
Army
Training
School

11. The Metropolitan Toronto School Board shall be deemed to have had the power to make the maintenance assistance payments made on behalf of children residing in the years 1963 to 1966 inclusive at the Salvation Army Training School at 2130 Bayview Avenue in the Township of North York as if such pupils had been resident pupils as defined in section 124 of *The Municipality of Metropolitan Toronto Act*.

R.S.O. 1960,
c. 260

Commence-
ment

12.—(1) This Act, except sections 3, 5, 6, 7, 8 and 9, comes into force on the day it receives Royal Assent.

Idem

(2) Sections 3, 5, 7, 8 and 9 shall be deemed to have come into force on the 1st day of January, 1967.

Idem

(3) Section 6 comes into force on the 1st day of January, 1968.

Short title

13. This Act may be cited as *The Municipality of Metropolitan Toronto Amendment Act, 1967*.

CHAPTER 59

An Act to amend The Niagara Parks Act

Assented to June 15th, 1967
Session Prorogued June 15th, 1967

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Section 1 of *The Niagara Parks Act* is amended by adding thereto the following clause: R.S.O. 1960,
c. 262, s. 1,
amended

(aa) "Minister" means the member of the Executive Council designated by the Lieutenant Governor in Council to administer this Act.

2. *The Niagara Parks Act* is amended by adding thereto the following section: R.S.O. 1960,
c. 262,
amended

1a. The Minister is responsible for the administration of this Act. Administra-
tion of Act

3.—(1) Subsections 2, 3, 4 and 5 of section 2 of *The Niagara Parks Act* are repealed and the following substituted therefor: R.S.O. 1960,
c. 262, s. 2,
subss. 2-5,
re-enacted

(2) The Commission shall be composed of not fewer than nine and not more than eleven members appointed by the Lieutenant Governor in Council of whom, Composition
of
Commission

(a) not fewer than six and not more than eight members shall be appointed for the terms prescribed in subsection 3;

(b) one member shall be a member of the council of the County of Welland and shall be appointed annually upon the recommendation of such council;

(c) one member shall be a member of the council of the County of Lincoln and shall be appointed annually upon the recommendation of such council; and

(d)

- (d) one member shall be a member of the council of the City of Niagara Falls and shall be appointed annually upon the recommendation of such council.

Terms
of office

- (3) Of the persons first appointed under clause *a* of subsection 2,

(a) at least two members shall be appointed for a term of one year;

(b) at least two members shall be appointed for a term of two years; and

(c) at least two members shall be appointed for a term of three years,

and, as the term of any such member expires, the appointment to fill the vacancy shall be for a term of three years and a member whose term expires is eligible for re-appointment.

Chairman
and vice-
chairman

- (4) The Lieutenant Governor in Council may designate one of the members of the Commission as chairman and one of the members as vice-chairman.

Vacancies

- (5) Where a vacancy occurs in an appointment under subsection 2, the vacancy may be filled for the remainder of the unexpired term in the same manner as the appointment.

Remunera-
tion

- (5a) The Lieutenant Governor in Council may determine the annual remuneration to be paid to the chairman and vice-chairman of the Commission and such remuneration at a *per diem* rate for the other members of the Commission as is considered advisable.

Composition
of Board
before
appoint-
ments

- (2) The members of The Niagara Parks Commission who are in office when this Act comes into force shall remain in office until the members appointed under subsection 2 of section 2 of *The Niagara Parks Act*, as re-enacted by subsection 1, are appointed.

Commence-
ment

4. This Act comes into force on the day it receives Royal Assent.

Short title

5. This Act may be cited as *The Niagara Parks Amendment Act, 1967*.

CHAPTER 60

An Act to provide for the Establishment
of the Ontario Agricultural Museum

*Assented to March 22nd, 1967
Session Prorogued June 15th, 1967*

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. In this Act,

Interpre-
tation

(a) "Board" means the Ontario Agricultural Museum
Advisory Board;

(b) "Minister" means the Minister of Agriculture and
Food;

(c) "Museum" means the Ontario Agricultural Museum.
- 2.—(1) There is hereby established a museum to be known
as the Ontario Agricultural Museum.

Ontario
Agricultural
Museum
established

(2) The affairs of the Museum are under the control of
the Minister, and the Minister has all the powers necessary
for the purpose of carrying out the objects of the Museum.

Powers of
Minister

3.—(1) A curator of the Museum may be appointed under
The Public Service Act, 1961-62 and such other officers, clerks
and servants as are deemed necessary from time to time for
the proper conduct of the business of the Museum.

Curator
and staff
1961-62,
c. 121

(2) The curator shall have the management and administra-
tion of the Museum subject to the supervision and direction
of the Minister.

Duties of
curator

4.—(1) There shall be a board to be known as the Ontario
Agricultural Museum Advisory Board.

Ontario
Agricultural
Museum
Advisory
Board
established

(2) The Board shall consist of not fewer than five and not
more than eleven members appointed by the Lieutenant
Governor in Council, of whom at least two shall be persons
in the public service of Ontario.

Composition

(3)

Chairman
and vice-
chairman

(3) The Lieutenant Governor in Council shall designate one of the members of the Board as chairman and one of them as vice-chairman of the Board.

Term of
appoint-
ment

(4) A member of the Board may be appointed for a term not exceeding three years but may be re-appointed for one or more further terms.

Quorum

(5) A majority of the members of the Board for the time being constitutes a quorum.

Duties of
Board

5. The object and purpose of the Board is to consider matters relating to the objects of the Museum and to make recommendations thereon to the Minister.

Objects of
Museum

6. The objects of the Museum are,

(a) to display and illustrate to the public articles or documents relating to or used in agricultural or horticultural pursuits in Ontario; and

(b) to inform and stimulate the interest of the public in matters depicted by the Museum.

Agreements
for loan of
displays

7.—(1) The Minister is authorized to enter into agreements, in the form prescribed by the regulations, with any person or persons for the display in the Museum, for any period or periods of time, of articles and documents referred to in section 6, owned by or in the care and control of such person or persons.

Agreements
for use of
facilities

(2) The Minister is authorized to enter into agreements, in the form prescribed by the regulations, with any person or persons for the use by such person or persons of any facilities, property and equipment, acquired for the purposes of the Museum, for holding exhibitions, related to the objects of the Museum, jointly with the Museum or otherwise, and any such agreement may provide that the whole or any part of the admission fees collected during the holding of the exhibition be paid over to the person or persons with whom the agreement is made.

Acquisition
of displays

(3) The Minister may, out of the moneys appropriated by the Legislature for the purposes of the Museum, acquire such articles and documents as he deems necessary or advisable for achieving the objects of the Museum and may dispose of such articles or documents as he deems advisable.

Regulations

8.—(1) The Lieutenant Governor in Council may make regulations,

(a)

- (a) establishing one or more endowment funds in furtherance of the objects of the Museum, and governing such funds;
- (b) regulating and governing the use by the public of the facilities, property and equipment acquired for the purposes of the Museum;
- (c) requiring the payment of fees for the admission of the public or any class thereof to the Museum, and prescribing the amounts;
- (d) prescribing the form, terms and conditions for agreements referred to in section 7;
- (e) respecting any matter necessary or advisable to carry out effectively the intent and purpose of this Act.

(2) A person who contravenes a regulation made under subsection 1 is guilty of an offence and on summary conviction is liable to a fine of not more than \$100.^{Penalty}

9. The moneys required for the purposes of this Act shall, until the 31st day of March, 1968, be paid out of the Consolidated Revenue Fund, and thereafter shall be paid out of the moneys appropriated therefor by the Legislature.^{Moneys}

10. This Act comes into force on the day it receives Royal Assent.<sup>Commence-
ment</sup>

11. This Act may be cited as *The Ontario Agricultural Museum Act, 1967*.^{Short title}

CHAPTER 61

**An Act to establish the
Ontario Deposit Insurance Corporation**

*Assented to February 10th, 1967
Session Prorogued June 15th, 1967*

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. In this Act,

Interpre-
tation

- (a) "Board" means the Board of Directors of the Corporation;
- (b) "by-laws" means the by-laws of the Corporation;
- (c) "Chairman" means the Chairman of the Board;
- (d) "Corporation" means the Ontario Deposit Insurance Corporation established by this Act;
- (e) "deposit" means a deposit as defined by section 23;
- (f) "loan corporation" has the same meaning as it has in *The Loan and Trust Corporations Act*;
- (g) "member institution" means a corporation or company any of whose deposits are insured by the Corporation pursuant to this Act;
- (h) "Minister" means the Minister of Financial and Commercial Affairs;
- (i) "Registrar" means the Registrar under *The Loan and Trust Corporations Act*; and
- (j) "trust company" has the same meaning as it has in *The Loan and Trust Corporations Act*.

R.S.O. 1960,
c. 222

PART I

THE CORPORATION

Corporation
established

2.—(1) There is hereby established a corporation, to be known as the Ontario Deposit Insurance Corporation, consisting of the persons who make up the Board.

Crown
agency

(2) The Corporation is, for all purposes of this Act, an agent of Her Majesty, and its powers under this Act may be exercised only as an agent of Her Majesty.

R.S.O. 1960,
c. 71, not
to apply

(3) *The Corporations Act* does not apply to the Corporation.

Property

(4) The Corporation has power to acquire, hold and alienate real and personal property.

Idem

(5) Property acquired by the Corporation is the property of Her Majesty and title thereto may be vested in the name of Her Majesty or in the name of the Corporation.

Legal
proceedings

(6) Actions, suits or other legal proceedings in respect of any right or obligation acquired or incurred by the Corporation on behalf of Her Majesty, whether in its name or in the name of Her Majesty, may be brought or taken by or against the Corporation in any court that would have jurisdiction if the Corporation were not an agent of Her Majesty.

Head
office

3.—(1) The head office of the Corporation shall be at the City of Toronto and at such place therein as the Board shall from time to time determine.

Offices and
agents

(2) The Corporation may establish offices or employ agents in any part of Ontario.

Board of
directors

4.—(1) The Board shall consist of the person appointed as the Chairman and the persons who for the time being hold, respectively, the offices of the Deputy Provincial Treasurer, the Comptroller of Finance, the Deputy Minister of Financial and Commercial Affairs, and the Registrar, and such other persons as may be appointed by the Lieutenant Governor in Council.

Alternate
director

(2) In the event of the absence or incapacity of any director of the Corporation other than the Chairman, the Minister may appoint, for a period not exceeding thirty days, an alternate for such director who shall serve on the Board during such absence or incapacity and who shall, while so serving, be deemed to be a member of the Board.

(3) A member of the Board shall be paid by the Corporation reasonable travelling and living expenses incurred by him while absent from his ordinary place of residence in the course of his duties as a director, but no director of the Corporation, other than the Chairman, shall receive any other remuneration for his services on the Board. ^{Travelling expenses}

5.—(1) The Lieutenant Governor in Council shall appoint a person to be the Chairman. ^{Chairman}

(2) No person is eligible to be appointed or to continue as Chairman who, ^{Disqualification}

(a) is not a Canadian citizen ordinarily resident in Ontario;

(b) is a member of the Senate or House of Commons of Canada or a member of the Assembly;

(c) is a director, officer or employee of a member institution; or

(d) has reached the age of seventy years.

(3) The Chairman shall preside at all meetings of the Board, but, where at any meeting the Chairman is absent, one of the directors present thereat who is chosen so to act by the directors present shall preside and has and shall exercise the powers of the Chairman. ^{Functions}

(4) The Chairman shall be paid by the Corporation such remuneration as may be fixed by the Lieutenant Governor in Council. ^{Remuneration}

6. The Chairman, the other members of the Board and the officers and employees of the Corporation are not personally liable for anything done by the Board or any of them under the authority of this Act. ^{No personal liability}

7.—(1) The authorized capital of the Corporation is \$5,000,000 divided into five shares of the par value of \$1,000,000 each. ^{Authorized capital}

(2) The Treasurer of Ontario shall subscribe for the five shares of the capital stock of the Corporation and shall pay the amount of such subscription out of the Consolidated Revenue Fund at such time or from time to time as the Corporation may require. ^{Subscription}

(3) The shares of the capital stock of the Corporation are not transferable and shall be registered in the books of the Corporation in the name of the Treasurer of Ontario and held by him in trust for Her Majesty. ^{Shares not transferable}

Financial
year

8. The financial year of the Corporation ends on the expiration of the 31st day of December in each year.

Audit

9. The accounts and financial transactions of the Corporation shall be audited annually by the Provincial Auditor.

Annual
report

10. The Corporation shall be responsible to the Minister and shall, within three months after the termination of each financial year of the Corporation, transmit to the Minister a statement relating to the activities of the Corporation for that year, including the financial statements of the Corporation and the Provincial Auditor's report thereon, and the Minister shall submit the report to the Lieutenant Governor in Council and shall then lay the report before the Assembly if it is in session or, if not, at the next ensuing session.

Objects

11. The objects of the Corporation are,

- (a) to provide, for the benefit of persons having deposits with member institutions, insurance (herein referred to as "deposit insurance") against the loss of part or all of such deposits, by making payments to such persons to the extent and in the manner authorized by this Act;
- (b) to provide the deposit insurance required by this Act for member institutions;
- (c) to examine into the affairs of member institutions for the purpose of obtaining information relative to deposit insurance; and
- (d) to accumulate, manage and invest a deposit insurance fund and any other funds accumulated as the result of the operations of the Corporation.

Powers

12. The Corporation may do all things necessary or incidental to the objects of the Corporation and in particular, but without limiting the generality of the foregoing, the Corporation may, in furtherance of its objects,

- (a) acquire assets from a member institution, make loans or advances to a member institution and take security therefor and guarantee loans to or deposits with a member institution, for the purpose of reducing a risk to the Corporation or reducing or averting a threatened loss to the Corporation;
- (b) act under section 33 when duly authorized and appoint persons, whether employees or not of the Corporation, to carry out any or all of the functions of the Corporation;

(c)

- (c) assume the costs of a winding up of a member institution when the Corporation is appointed to act as a liquidator in the winding up or assume the costs of the receiver when the Corporation is appointed to act as such and charge such costs of winding up or receivership to the Accumulated Net Earnings of the Corporation;
- (d) acquire assets of a member institution from a liquidator or receiver thereof;
- (e) make an advance for the purpose of paying a claim, against a member institution for which the Corporation is acting as receiver or liquidator, in respect of any insured deposit and become subrogated as an unsecured creditor for the amount of such advance;
- (f) make or cause to be made such inspections of a member institution as may be authorized under this Act; and
- (g) do all such other things, not contrary to this Act, as may be necessary for the exercising of any of the powers of the Corporation.

13.—(1) The Board shall administer the affairs of the Corporation in all things and make, or cause to be made, ^{Powers and duties of Board} for the Corporation any description of contract that the Corporation may by law enter into; and, subject to the approval of the Lieutenant Governor in Council, the Board may make by-laws for,

- (a) the administration, management and control of the property and affairs of the Corporation;
- (b) the functions, duties and remuneration of all officers, agents and employees of the Corporation;
- (c) the appointment or disposition of any special committees from time to time created by the Board for the purposes of the Corporation;
- (d) the issue of the shares of the Corporation;
- (e) the declaration and payment of dividends;
- (f) determining the seal of the Corporation;
- (g) the time and place for the holding of meetings of the directors, the quorum at such meetings and the procedure in all things at such meetings;

(h)

- (h) prescribing standards of sound business and financial practices for member institutions;
- (i) authorizing and controlling the use by member institutions of marks, signs, advertisements or other devices indicating that deposits with such institutions are insured by the Corporation; and
- (j) the conduct in all other particulars of the affairs of the Corporation.

Powers of
Inspection

(2) For the purpose of carrying out any inspection authorized by this Act, the Board may appoint any person to carry out any such inspection, and the person so appointed has the like powers as may be conferred on a commissioner appointed under *The Public Inquiries Act*.

R.S.O. 1960,
c. 323

Borrowing
powers

14.—(1) Subject to the approval of the Lieutenant Governor in Council and to section 21, the Corporation may from time to time borrow or raise by way of loan such sums of money as the Corporation may deem requisite for any of the purposes of the Corporation by the issue and sale of debentures, bills or notes of the Corporation in such form or forms, in such denomination or denominations, bearing interest at such rate or rates and payable as to principal and interest at such time or times, in such currency or currencies and at such place or places as the Corporation may determine.

Purposes of
Corporation

(2) The purposes of the Corporation, without limiting the generality thereof, include,

- (a) the carrying out of the objects of the Corporation;
- (b) the payment, refunding or renewal from time to time of the whole or any part of any sum or sums of money borrowed or raised by way of loan or of any securities issued by the Corporation;
- (c) the repayment in whole or in part of any advances made by Ontario to the Corporation or of any securities of the Corporation issued and delivered to the Treasurer of Ontario in respect of any advances;
- (d) payment of the whole or any part of any loan or of any liability or of any bonds, debentures or other securities, payment whereof is guaranteed or assumed by the Corporation; and
- (e) the payment of the whole or any part of any obligation, liability or indebtedness of the Corporation.

(3) Subject to the approval of the Lieutenant Governor in Council, the Corporation may sell any debentures, bills or notes of the Corporation either at, or at less or more than, the principal amount thereof and may charge, pledge or otherwise deal with any such debentures, bills or notes as collateral security.

Sale, etc.,
of Cor-
poration's
securities

(4) A recital or declaration in any resolution or minute of the Corporation authorizing the issue and sale of debentures, bills or notes of the Corporation to the effect that it is necessary to issue and sell such debentures, bills or notes for the purposes of the Corporation in the amount authorized is conclusive evidence to that effect.

Authoriza-
tion

(5) The notes, debentures and other securities of the Corporation shall be executed in such manner as the Corporation, with the approval of the Lieutenant Governor in Council, determines.

Execution
of securities

(6) The seal of the Corporation may be engraved, lithographed, printed or otherwise mechanically reproduced on any debenture, bill or note, and any signature upon any debenture, bill or note and upon any coupon may be engraved, lithographed, printed or otherwise mechanically reproduced, and the seal of the Corporation when so reproduced has the same force and effect as if manually affixed, and any such signature is for all purposes valid and binding upon the Corporation notwithstanding that any person whose signature is so reproduced has ceased to hold office.

Mechanical
reproduc-
tion of seal
and
signature
authorized

15. Any debenture, bill or note of the Corporation may be made redeemable in advance of maturity at such time or times, at such price or prices and on such terms and conditions as the Corporation may determine at the time of the issue thereof.

Securities of
Corporation
redeemable
in advance

16.—(1) The Lieutenant Governor in Council may authorize the Treasurer of Ontario to guarantee payment by the Province of any debentures, bills or notes issued by or of any temporary loan made to the Corporation under the authority of this Act.

Guarantee
of payment
by Province

(2) The form of guaranty and the manner of execution shall be determined by the Lieutenant Governor in Council.

Form of
guaranty

(3) Every guaranty given or purporting to be given under the authority of this section is binding upon the Province and is not open to question upon any ground whatsoever.

Validity of
guaranty

Guaranteed
debentures,
etc., to be
indefeasible

(4) Any debenture, bill or note issued by or temporary loan made to the Corporation, payment whereof is guaranteed by the Province under this section, is valid and binding upon the Corporation, its successors and assigns according to its terms, and the validity of any debenture, bill or note or temporary loan so guaranteed is not open to question on any ground whatsoever.

Trustee,
etc., invest-
ments in
debentures

17. Notwithstanding anything in any other Act, debentures issued by the Corporation are at all times a lawful investment for municipal, school and trust funds.

Sale of
Corpora-
tion's
securities
to Province
and
provincial
advances to
Corporation
authorized

18.—(1) The Lieutenant Governor in Council may authorize the Treasurer of Ontario,

(a) to purchase any debentures, bills or notes of the Corporation; and

(b) to make advances to the Corporation in such amounts, at such times and on such terms and conditions as the Lieutenant Governor in Council may deem expedient.

Idem

(2) The moneys required for the purposes of subsection 1 shall be paid out of the Consolidated Revenue Fund.

Investment
of funds

19. The Corporation may, in its discretion, invest any funds not required in carrying out its objects in debentures or other securities of Canada or of Ontario, or in any securities guaranteed as to principal and interest by either of them.

Temporary
loans

20.—(1) Subject to the approval of the Lieutenant Governor in Council, the Corporation may from time to time for any of the purposes of the Corporation borrow by way of temporary loan from any chartered bank or from any person such sums as the Corporation deems requisite, either by way of bank overdraft or loan or in any other manner whatsoever.

Idem

(2) For the purposes of subsection 1, the Corporation may pledge as security notes, debentures or other securities of the Corporation pending the sale thereof or in lieu of selling the same or may pledge as security bonds, debentures or other securities owned by the Corporation or otherwise give such security as the Corporation determines, and any cheques, promissory notes or other instruments that may be necessary or desirable for the purposes of subsection 1 or this subsection may be executed in such manner as the Corporation determines.

Limit of
borrowing
powers

21.—(1) The Corporation shall not borrow or raise by way of loan any sums of money if, after giving effect to such borrowing or loan, the aggregate principal amount of the

outstanding

outstanding debentures, bills and notes issued by the Corporation, of temporary loans raised by the Corporation and of outstanding advances to the Corporation from the Treasurer of Ontario, would exceed \$250,000,000.

(2) Notwithstanding subsection 1, the Corporation shall ^{Idem} not question the validity of any borrowings by it, or of any debentures, bills or notes issued by it, all of which shall be binding upon the Corporation.

PART II

MEMBER INSTITUTIONS

22. For the purposes of this Act, every loan corporation ^{Member institutions} and trust company incorporated under the laws of Ontario and registered under *The Loan and Trust Corporations Act* ^{R.S.O. 1960, c. 222} are member institutions.

PART III

DEPOSIT INSURANCE

23. For the purposes of this Act, a deposit shall be, ^{Deposit defined}

- (a) moneys deposited with a member institution in respect of which such institution is liable to the depositors;
- (b) moneys received under section 82 of *The Loan and Trust Corporations Act* by a trust company that is a member institution; and
- (c) debentures or like obligations issued by a loan corporation that is a member institution.

24.—(1) Each deposit with a member institution is insured ^{Deposits insured} by the Corporation except,

- (a) a deposit that is not payable in Canada or in Canadian currency;
- (b) so much of any one deposit, including interest thereon, as exceeds \$20,000; and
- (c) so much of a deposit as is insured under the *Canada* ^{1966-67, c. 70, (Can.)} *Deposit Insurance Corporation Act*.

Payment

(2) Where the Corporation is obliged to make payment in respect of any deposit insured by the Corporation, the Corporation as soon as possible after the obligation arises shall, in respect of such deposit, make payment to such person as appears entitled thereto by the records of the member institution with which the deposit was made,

(a) by making available to such person a transferred deposit with another member institution for so much of his deposit as is insured by the Corporation; or

(b) by paying such person a sum equal to so much of his deposit as is insured by the Corporation.

Effect of payment

(3) Payment under this section by the Corporation in respect of any deposit insured by the Corporation discharges the Corporation from all liability in respect of that deposit, and in no case is the Corporation under any obligation to see to the proper application in any way of the payment so made.

Subrogation

(4) Where the Corporation makes a payment under this section in respect of any deposit with a member institution, the Corporation is subrogated for so much of that deposit as is insured by the Corporation to all the rights and interest of the depositor as against that member institution.

Commencement of insurance, existing member institutions

25.—(1) Except as provided in section 24, the deposits with a member institution that is carrying on business on the day on which this Act comes into force are insured by the Corporation from and after that date in accordance with this Act.

Idem, future member institutions

(2) Except as provided in section 24, when a member institution commences business after the coming into force of this Act, the deposits with such member institution are insured by the Corporation in accordance with this Act on and after the day on which such member institution commences business.

Premiums are debts

26. A premium assessed by the Corporation against a member institution for the purposes of this Act constitutes a debt owing to Her Majesty in right of Ontario, and the amount thereof together with any interest levied by the Corporation as an overdue charge is recoverable by the Corporation by action in any court of competent jurisdiction.

Disposition of premiums

27. All premiums received by the Corporation shall be credited to a Deposit Insurance Fund to be maintained by the Corporation.

28.—(1) The Corporation shall each year assess and collect from each member institution an annual premium equal to the greater of, Assessment and collection of premiums

(a) \$500; or

(b) one-thirtieth of 1 per cent of the total amount of such deposits as are deposited with the member institution on the date as of which the return mentioned in subsection 2 is filed with the Corporation and as are insured by the Corporation.

(2) Each member institution shall file with the Corporation annually a return to be certified by the member institution and submitted in such form as of such date and at such time as the Corporation may require. Annual return

(3) One-half of the premium payable by a member institution shall be paid to the Corporation on or before the 30th day of June in the year in which the annual return is to be filed, and the balance shall be paid to the Corporation, without interest, on or before the 31st day of December in that year. Payable in instalments

(4) Notwithstanding anything in this section, the Corporation may charge interest not in excess of 10 per cent per annum on the amount of any premium or any part thereof not paid on or before the due date thereof. Interest

29.—(1) The Corporation shall maintain an account to be known as the Accumulated Net Earnings to which shall be credited all earnings including realized profits on the sale of securities and to which shall be charged all operating expenses, losses and specific provisions for losses in respect of insurance and losses on sales of securities. Accumulated Net Earnings

(2) The Accumulated Net Earnings shall be reported as a separate item in any statement of assets and liabilities of the Corporation and shown as an addition to or a deduction from the Deposit Insurance Fund. Separate item in report

30. The Registrar shall, on behalf of the Corporation, examine the affairs of each member institution at such times as the Corporation may require but no less frequently than once in each year. Inspection of books

31.—(1) After each examination of the affairs of a member institution, the Registrar shall report to the Corporation whether or not, in his opinion, there has been any change in the circumstances of the member institution that might materially affect the position of the Corporation as an insurer and particularly, without limiting the generality of the foregoing, whether or not, in his opinion, Contents of examiner's report

(a)

- (a) the returns made by the member institution and on which payment of its premiums were based are correct;
- (b) the operations of the member institution are being conducted in accordance with sound business and financial practices; and
- (c) the member institution is in a satisfactory financial condition.

Idem

R.S.O. 1960,
c. 222

(2) Each such report shall further state whether or not, in the opinion of the Registrar, there has been any breach of the provisions of *The Loan and Trust Corporations Act* and in particular, without limiting the generality of the foregoing, whether or not, in his opinion, there has been any breach of the provisions of *The Loan and Trust Corporations Act* with respect to,

- (a) borrowing powers;
- (b) reserves required on deposit under sections 74 and 84 of that Act; and
- (c) investments authorized by that Act.

Reporting
of defects
and
breaches

32.—(1) Where in the opinion of the Corporation, whether such opinion is based upon consideration of a report from the Registrar or upon any other report or information, a member institution,

- (a) is or may be following unsound business or financial practices; or
- (b) is or may be in breach of any provision of this Act; or
- (c) is or may be in breach of any provision of *The Loan and Trust Corporations Act*; or
- (d) is not or may not be in a satisfactory financial condition,

the Corporation shall, in writing and by registered mail, report the same to the president or chairman of the board of directors of the member institution and he shall cause such report to be presented to a meeting of the directors of the member institution within a period of thirty days after its date of receipt and such report shall be incorporated in the minutes of that meeting of directors.

Copy to
Minister

(2) The Corporation shall deliver a copy of each such report to the Minister.

33.—(1) Where the Registrar has reported to the Corporation that, in his opinion, the affairs of a member institution are not in a satisfactory financial condition and the Corporation has reported that, in its opinion, the affairs of the member institution are not in a satisfactory financial condition and where the Minister, after a reasonable time has been given to the member institution to be heard by him and upon such further inquiry and investigation as he sees fit to make, reports to the Lieutenant Governor in Council that he agrees with the opinions of the Registrar and of the Corporation, the Lieutenant Governor in Council may, if he also agrees with the opinions, order the Corporation forthwith to take possession of the property of the member institution and to conduct the business thereof and to take such steps as in its opinion may be taken toward the removal of the causes and conditions which have made such proceedings necessary. ^{Rehabilitation proceedings}

(2) The Corporation shall thereupon take possession of the property of such member institution and conduct its business and take such steps as in the Corporation's opinion may be taken toward the removal of the causes and conditions which have made such proceedings necessary, and for such purposes and without limiting the generality of the foregoing, ^{Idem}

- (a) the Corporation shall have all the powers of the board of directors of the member institution;
- (b) the Corporation shall have power to exclude the member institution and its servants and agents from the property and business of the member institution; and
- (c) the Corporation shall have power to carry on, manage and conduct the operations of the member institution and in the name of the member institution to preserve, maintain, realize, dispose of and add to the property of the member institution, to receive the incomes and revenues of the member institution and to exercise all the powers of the member institution.

(3) Upon the request of a member institution and with the approval of the Lieutenant Governor in Council, the Corporation may with respect to such member institution exercise the powers mentioned in subsection 2. ^{Idem, upon request}

34. If at any time the Corporation considers that further efforts to place the affairs of a member institution in a satisfactory financial condition would be futile or that the affairs of the member institution have been placed in a satisfactory financial condition, the Corporation may return possession of ^{Where efforts futile}

the property of the member institution to it, and upon such return the powers of the Corporation under subsection 2 of section 33 as a result of the order of the Lieutenant Governor in Council under which the Corporation took possession of the property of the member institution shall terminate.

Appeal

35.—(1) A member institution may appeal to a judge of the Court of Appeal from any order made by the Lieutenant Governor in Council under subsection 1 of section 33 within thirty days after the making of such order and the delivery of a copy thereof to an officer of the member institution and the practice and procedure in relation to the appeal shall be the same as upon an appeal from a judgment of a judge of the Supreme Court in an action, except that the Rules Committee may vary and amend such practice and procedure in respect of appeals taken under this section.

Record

(2) The Minister shall certify to the Registrar of the Supreme Court,

- (a) the reports of the Registrar and of the Corporation that have been reviewed by the Minister and by the Lieutenant Governor in Council;
- (b) the record of the reviews; and
- (c) all written submissions to the Registrar and to the Lieutenant Governor in Council and other material that in the opinion of the Minister are relevant to the appeal.

Counsel

(3) The Minister of Justice and Attorney General may designate counsel to assist the judge upon the hearing of any appeal taken under this section.

Order

(4) Where an appeal is taken under this section, the judge may by his order direct the Corporation to take such action as the judge deems proper and thereupon the Corporation shall act accordingly.

Further decision

(5) The order of the judge is final and there is no appeal therefrom, but, notwithstanding the order, the Minister and the Lieutenant Governor in Council have power to make any further reports and orders on new material or where there is a material change in the circumstances, and any such further order is subject to appeal under this section.

PART IV

OFFENCES

36.—(1) Every person, other than a member institution, ^{Holding out} who, by any written or oral representation of any kind, advertises or holds out any company or corporation as being insured or approved for insurance by the Corporation is guilty of an offence.

(2) Every member institution that makes any written or ^{Advertising} oral representation that it is insured by the Corporation otherwise than by such marks, signs, advertisements or other devices as are authorized by the by-laws of the Corporation and used in the manner and on the occasions prescribed by the by-laws is guilty of an offence.

(3) Every director, officer or employee of a member institution and every auditor thereof who knowingly prepares, signs, ^{False returns, etc.} approves or concurs in any account, statement, return, report or document respecting the affairs of the member institution required by the Registrar, by the Minister or by the Corporation for the purposes of this Act and containing any false or deceptive information or any return that does not present fairly information required by the Registrar, the Minister or the Corporation for the purposes of this Act is guilty of an offence.

(4) Every person who, being a president or chairman of the board of directors of a member institution, fails or neglects ^{Failure to present report, etc.} to present to a meeting of the directors of the member institution, as required by section 32, a report of the Corporation made under that section is guilty of an offence, and, if the directors of the member institution fail or neglect to incorporate such report in the minutes of a meeting of the directors as required by section 32, each director present at such meeting is guilty of an offence.

(5) Every person, other than a corporation or company, ^{Penalties, individuals} guilty of an offence under this section is on summary conviction liable to a fine of not more than \$1,000 or to imprisonment for a term of not more than one year, or to both.

(6) Every corporation or company guilty of an offence ^{Idem, corporations} under this section is on summary conviction liable to a fine of not more than \$25,000.

PART V

PART V

MISCELLANEOUS

Commence-
ment

37. This Act comes into force on the day it receives Royal Assent.

Short title

38. This Act may be cited as *The Ontario Deposit Insurance Corporation Act, 1967*.

CHAPTER 62

An Act to amend The Ontario Deposit Insurance Corporation Act, 1967

*Assented to April 26th, 1967
Session Prorogued June 15th, 1967*

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Paragraph g of section 1 of *The Ontario Deposit Insurance Corporation Act, 1967* is repealed and the following sub-<sup>1967, c.61,
s. 1, par. g,</sup>re-enacted^{stituted} therefor:

(g) "member institution" means a loan corporation or trust company incorporated under the laws of Ontario and registered under *The Loan and Trust Corporations Act*.<sup>R.S.O. 1960,
c. 222</sup>

2. Sections 22 and 23 of *The Ontario Deposit Insurance Corporation Act, 1967* are repealed and the following sub-<sup>1967, c. 61,
ss. 22, 23,</sup>re-enacted^{stituted} therefor:

22.—(1) Every member institution is authorized to apply to the Canada Deposit Insurance Corporation for deposit insurance under the *Canada Deposit Insurance Corporation Act*.<sup>Applications
for Federal
deposit
insurance
authorized
1966-67,
c. 70 (Can.)</sup>

(2) The Minister on behalf of the Province may enter into agreements with the Canada Deposit Insurance Corporation for any purpose in connection with the issuing of policies of deposit insurance to loan corporations and trust companies incorporated under the laws of Ontario.<sup>Federal-
Provincial
agreements
authorized</sup>

(3) Any such agreement may contain an undertaking by the Province to indemnify the Canada Deposit Insurance Corporation for any loss to that corporation occurring by reason of its obligation to make payment in respect of any deposit insured by a policy of deposit insurance where the obligation arises during the period specified for that purpose in such agreement.^{Idem}

Deposit
insurance
required
R.S.O. 1960,
c. 222

23.—(1) No loan corporation or trust company registered under *The Loan and Trust Corporations Act* shall, after the 30th day of June, 1967, accept, receive or issue deposits unless it holds a certificate or policy of deposit insurance issued by the Canada Deposit Insurance Corporation or unless its deposits are insured in some other manner approved by the Lieutenant Governor in Council.

Extension
of time

(2) In the case of any particular loan corporation or trust company the Lieutenant Governor in Council may extend the time for effecting the insurance mentioned in subsection 1.

Deposit
defined

23a. For the purposes of this Act, a deposit is,

(a) money deposited with a loan corporation or trust company registered under *The Loan and Trust Corporations Act* in respect of which such corporation or company is liable to the depositors; or

(b) money received under section 82 of *The Loan and Trust Corporations Act* by a trust company registered under that Act or a debenture or like obligation issued by a loan corporation registered under that Act, but not including any money so received or debenture or like obligation so issued on or after the 17th day of April, 1967, unless the trust company or loan corporation, as the case may be, is obligated, or may by demand of the depositor become obligated, to repay the money so received or the debenture or like obligation so issued on or before the fifth anniversary of the date of receipt of such money or the fifth anniversary of the date of issue of such debenture or like obligation, as the case may be.

1967, c. 61,
s. 24, subs. 1,
re-enacted

3. Subsection 1 of section 24 of *The Ontario Deposit Insurance Corporation Act, 1967* is repealed and the following substituted therefor:

Deposits
insured

(1) All deposits with a member institution that does not hold a policy of deposit insurance issued by the Canada Deposit Insurance Corporation are insured by the Corporation except,

(a) a deposit that is not payable in Canada or in Canadian currency;

(b)

(b) so much of any one deposit, including interest thereon, as exceeds \$20,000; and

(c) deposits insured under terminated or cancelled deposit insurance under section 28 of the *Canada Deposit Insurance Corporation* ^{1966-67, c. 70 (Can.)} Act.

4. Section 28 of *The Ontario Deposit Insurance Corporation* ^{1967, c. 61, s. 28,} Act, 1967 is amended by adding thereto the following sub-amended section:

(5) Notwithstanding anything in this Act, the Lieutenant Governor in Council may authorize and direct the ^{Repayments of premiums authorized} repayment to a member institution of the whole or any part of any premium paid to the Corporation.

5. Section 30 of *The Ontario Deposit Insurance Corporation* ^{1967, c. 61, s. 30,} Act, 1967 is amended by adding thereto the following sub-amended sections:

(2) The Registrar, at the request of the Canada Deposit Insurance Corporation and on such terms and conditions as may be approved by the Minister, may examine the affairs of any loan corporation or trust company registered under *The Loan and Trust Corporations Act* and report thereon to the Canada Deposit Insurance Corporation. ^{Examination of affairs authorized} ^{R.S.O. 1960, c. 222}

(3) In any examination authorized under subsection 2, ^{Powers of Registrar} the Registrar has and may exercise any of the powers given him by subsections 3, 4 and 5 of section 117 of *The Loan and Trust Corporations Act*.

6. This Act comes into force on the day it receives Royal ^{Commencement} Assent.

7. This Act may be cited as *The Ontario Deposit Insurance Corporation Amendment Act, 1967*. ^{Short title}

CHAPTER 63

An Act to amend The Ontario Education Capital Aid Corporation Act, 1966

*Assented to June 15th, 1967
Session Prorogued June 15th, 1967*

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Section 3 of *The Ontario Education Capital Aid Corporation Act, 1966* is repealed and the following substituted therefor: c. 101, s. 3, re-enacted

3. The object of the Corporation is to purchase from Object municipalities debentures issued by them for,

(a) school board undertakings;

(b) public library purposes; and

(c) grants to an association under paragraph 29 of section 377 of *The Municipal Act*.

R.S.O. 1960,
c. 249

2. Subsection 1 of section 10 of *The Ontario Education Capital Aid Corporation Act, 1966* is amended by striking out "the" in the fourth line and inserting in lieu thereof "a", so that the subsection shall read as follows: c. 101, s. 10, subs. 1, amended

(1) The Corporation, with the approval of the Lieutenant Governor in Council, may from time to time purchase from any municipality debentures issued by the municipality for a purpose specified in section 3. Purchase of municipal debentures

3. This Act comes into force on the day it receives Royal Assent. Commence-ment

4. This Act may be cited as *The Ontario Education Capital Aid Corporation Amendment Act, 1967*. Short title

CHAPTER 64

**An Act to amend
The Ontario Energy Board Act, 1964**

*Assented to April 26th, 1967
Session Prorogued June 15th, 1967*

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) Section 1 of *The Ontario Energy Board Act, 1964*^{1964, c. 74, s. 1, amended} is amended by adding thereto the following paragraph:

2a. “construct” means construct, reconstruct, relocate, enlarge or extend.

(2) The said section 1 is further amended by striking out^{1964, c. 74, s. 1, par. 4, 21, re-enacted; par. 22, repealed} paragraphs 4, 21 and 22 and inserting in lieu thereof the following:

4. “fuel oil” means any hydrocarbon that is liquid at 60°F. and 29.92 inches of mercury and has a flash-point of not less than 110°F. and that comes within the meaning of the Canadian Government Specifications Board Specification 3-GP-2c entitled FUEL OIL and dated the 18th day of December, 1959, 3-GP-3a entitled KEROSINE and dated the 11th day of December, 1964 or 3-GP-6c entitled DIESEL FUEL and dated the 31st day of December, 1963;

.

21. “well” means a hole drilled into a geological formation of Cambrian or more recent age, except a hole where no gas or oil is encountered that is drilled for the production of fresh water or salt.

2. Section 13 of *The Ontario Energy Board Act, 1964*^{1964, c. 74, s. 13, amended} is amended by adding thereto the following subsection:

(4a) The Board of its own motion may, and upon the request of the Lieutenant Governor in Council shall, inquire into, hear and determine any matter that^{Additional powers and duties as on applications}

under

under this Act or the regulations it may upon an application inquire into, hear and determine, and in so doing the Board has and may exercise the same powers as upon an application.

1964,
c. 74, s. 19,
amended

3.—(1) Section 19 of *The Ontario Energy Board Act, 1964*, as amended by section 1 of *The Ontario Energy Board Amendment Act, 1965*, is further amended by adding thereto the following subsection:

Orders on
applications

(4a) Upon an application for an order approving or fixing rates or other charges, the Board may after a hearing, if it is not satisfied that the rates or other charges applied for are just and reasonable, fix such other rates or charges as it finds to be just and reasonable.

1964,
c. 74, s. 19,
subs. 6,
re-enacted

(2) Subsection 6 of the said section 19 is repealed and the following substituted therefor:

Other rate
orders

(6) Where the Board of its own motion, or upon the request of the Lieutenant Governor in Council, holds a hearing for the purpose of inquiring into and determining whether any of the rates or other charges for the sale, transmission, distribution or storage of gas by any transmitter, distributor or storage company are just and reasonable, the Board shall, after such hearing, make an order under subsection 1, and in any such hearing the burden of establishing that such rates or other charges are just and reasonable is on the transmitter, distributor or storage company, as the case may be.

1964,
c. 74, s. 37,
amended

4. Section 37 of *The Ontario Energy Board Act, 1964* is amended by adding thereto the following subsection:

Exception

(1a) Subsection 1 does not apply to the relocation or reconstruction of a transmission line unless the size of the line is changed or unless the acquisition of additional land or authority to use additional land is necessary.

Commence-
ment

5. This Act comes into force on the day it receives Royal Assent.

Short title

6. This Act may be cited as *The Ontario Energy Board Amendment Act, 1967*.

CHAPTER 65

**An Act to incorporate
The Ontario Heritage Foundation**

*Assented to June 15th, 1967
Session Prorogued June 15th, 1967*

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. In this Act,**Interpre-
tation**

- (a) "donation" includes any gift, testamentary disposition, deed of trust or other form of contribution;
- (b) "Foundation" means The Ontario Heritage Foundation;
- (c) "Minister" means the Minister of Tourism and Information or such other member of the Executive Council as is designated by the Lieutenant Governor in Council to administer this Act;
- (d) "property" includes real and personal property.

2. The Minister is responsible for the administration of this Act.**Administra-
tion of
Act****3.—(1) A foundation is established to be known as "The Ontario Heritage Foundation".****Ontario
Heritage
Foundation
established**

(2) The Foundation shall be a body corporate consisting of a board of directors of not fewer than three and not more than eleven persons who shall be appointed by the Lieutenant Governor in Council, and of such other persons as become members of the Foundation.

**Composition
of
Foundation**

(3) The Lieutenant Governor in Council may designate one of the directors to be the chairman of the board of directors.

Chairman

(4) A majority of the directors constitutes a quorum.

Quorum

By-laws

4. The directors of the Foundation may, with the approval of the Minister, make such by-laws as are necessary for,

- (a) the administration of the Foundation;
- (b) the establishment, appointment and condition of membership therein;
- (c) the establishment of such honorary offices as they deem desirable, and the appointment of persons thereto; and
- (d) any other matter necessary for carrying out the objects of the Foundation.

Officers
and staff
1961-62,
c. 121

5. Such officers, clerks and servants may be appointed or transferred under *The Public Service Act, 1961-62* as are deemed necessary from time to time for the proper conduct of the business of the Foundation.

R.S.O. 1960,
c. 71 does
not apply

6. *The Corporations Act* does not apply to the Foundation.

Objects of
Foundation

7. The objects of the Foundation are,

- (a) to receive, acquire by purchase, donation or lease, hold, preserve, maintain, reconstruct, restore and manage property of historical and architectural interest for the use, enjoyment and benefit of the people of Ontario;
- (b) to support and contribute to the acquisition, holding, preservation, maintenance, reconstruction, restoration and management of property of historical and architectural interest by municipalities and by associations whose primary objects are equivalent to those set out in clause *a*, for the use, enjoyment and benefit of the people of Ontario; and
- (c) to conduct and arrange exhibits or other cultural or recreational activities to inform and stimulate the interest of the public in historical and architectural matters.

Powers of
Foundation

8. In furtherance of its objects, the Foundation has power,

- (a) to hold, preserve, maintain, reconstruct, restore and manage the property of the Foundation;
- (b) subject to the approval of the Minister,

- (i) to acquire property, whether by purchase, donation, lease, public subscription, grant, bequest or otherwise,
- (ii) to enter into agreements with prospective donors with respect to any conditions governing the use of property,
- (iii) to enter into agreement with any person respecting any matter within the objects of the Foundation, and to pay moneys to such person pursuant to any such agreement,
- (iv) to engage the services of such experts and other persons as are deemed expedient;
- (c) subject to the terms of any trust in connection with such property, to dispose of property by sale, lease or any other manner, and to execute such deeds or other instruments as may be required to effect such disposal;
- (d) to borrow money for the purpose of carrying out the objects of the Foundation where a guarantee is provided under section 15;
- (e) to invest its funds, but only in such classes of securities as trustees are permitted to invest in under the laws of Ontario.

9.—(1) The Foundation shall maintain a fund, hereinafter ^{General fund} called the “general fund”, which shall, subject to section 10, consist of moneys received by it from any source, including grants made under section 14.

(2) The Foundation may, subject to any conditions attached ^{Operating expenditures} to moneys comprising the general fund, disburse, expend or otherwise deal with any of its general fund for the purposes of any of the objects of the Foundation and to defray any expenses in connection therewith.

10.—(1) The Foundation shall maintain a reserve fund, ^{Reserve fund} which shall consist of moneys received by the Foundation expressly for allocation thereto.

(2) The income of the reserve fund, or any part thereof, ^{Income} may be paid into and form part of the general fund.

(3) The Foundation shall not expend any of the capital ^{Capital expenditures} of its reserve fund, except for investment under clause *e* of section 8, without the consent of the Lieutenant Governor in Council.

Remunera-
tion

11. No member of the Foundation shall receive any remuneration for his services, but each member shall be paid out of the general fund of the Foundation for his proper travelling and other expenses incurred in the work of the Foundation.

Exemption
from
taxation

12. The real and personal property, business and income of the Foundation are exempt from all assessment and taxation, made, imposed or levied by or under the authority of any Act of the Legislature, but this section does not apply to any property of the Foundation while leased under clause c of section 8 to a person or organization not registered as a charitable organization under the *Income Tax Act* (Canada).

R.S.C. 1952,
c. 148

Audit

13. The accounts and financial transactions of the Foundation shall be audited annually by the Provincial Auditor.

Grants

14. The Minister may, out of the moneys appropriated therefor by the Legislature, make grants to the Foundation at such times, in such amounts and upon such terms and conditions as he deems advisable and may allocate any grants so made to the general fund or reserve fund.

Guarantee
of loans

15.—(1) Upon the recommendation of the Minister, the Lieutenant Governor in Council may, upon such terms as he deems proper, agree to guarantee and may guarantee the payment of any loan to the Foundation, or any part thereof together with interest thereon, borrowed for the purpose of carrying out the objects of the Foundation.

Form of
guarantee

(2) The form and manner of the guarantee shall be such as the Lieutenant Governor in Council approves, and the guarantee shall be signed by the Treasurer of Ontario or such other officer or officers as are designated by the Lieutenant Governor in Council, and, upon being so signed, the Province of Ontario is liable for the payment of the loan or part thereof and interest thereon guaranteed according to the terms of the guarantee.

Payment of
guarantee

(3) The Lieutenant Governor in Council may make arrangements for supplying the money necessary to fulfill the requirements of any guarantee and to advance the amount necessary for that purpose out of the public funds of the Province.

Annual
report

16.—(1) The Foundation shall make a report annually to the Minister upon the affairs of the Foundation, and the Minister shall submit the report to the Lieutenant Governor in Council and shall then lay the report before the Assembly if it is in session or, if not, at the next ensuing session.

(2) The Foundation shall make such further reports to the Minister as the Minister from time to time requires. ^{Reports}

17. This Act comes into force on a day to be named by the Lieutenant Governor by his proclamation. ^{Commence-}
^{ment}

18. This Act may be cited as *The Ontario Heritage Founda-* ^{Short title}
tion Act, 1967.

CHAPTER 66

**An Act to amend
The Ontario Human Rights Code, 1961-62**

*Assented to June 15th, 1967
Session Prorogued June 15th, 1967*

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Clauses *a* and *b* of section 3 of *The Ontario Human Rights Code, 1961-62*, as re-enacted by section 2 of *The Ontario Human Rights Code Amendment Act, 1965*, are repealed and the following substituted therefor: 1961-62,
c. 93, s. 3,
cls. *a, b*
(1965,
c. 85, s. 2),
re-enacted

- (*a*) deny to any person or class of persons occupancy of any commercial unit or any self-contained dwelling unit; or
- (*b*) discriminate against any person or class of persons with respect to any term or condition of occupancy of any commercial unit or any self-contained dwelling unit.

2. Clause *c* of subsection 4 of section 4 of *The Ontario Human Rights Code, 1961-62* is repealed. 1961-62,
c. 93, s. 4,
subs. 4,
cl. *c*,
repealed

3. This Act comes into force on the day it receives Royal Assent. Commence-
ment

4. This Act may be cited as *The Ontario Human Rights Code Amendment Act, 1967*. Short title

CHAPTER 67

An Act to authorize the Raising of Money on the Credit of the Consolidated Revenue Fund

*Assented to June 15th, 1967
Session Prorogued June 15th, 1967*

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) The Lieutenant Governor in Council is hereby authorized to raise from time to time by way of loan such sum or sums of money as are deemed expedient for any or all of the following purposes: for the public service, for works carried on by commissioners on behalf of Ontario, for discharging any indebtedness or obligation of Ontario or for reimbursing the Consolidated Revenue Fund for any moneys expended in discharging any indebtedness or obligation of Ontario, for making any payments authorized or required by any Act to be made out of the Consolidated Revenue Fund or for reimbursing the Consolidated Revenue Fund for any payments so authorized or required, and for the carrying on of the public works authorized by the Legislature; provided that the principal amount of any securities issued and sold for the purpose of raising any sum or sums of money by way of loan authorized by this Act together with the amount of any temporary loans raised under this Act, to the extent that such temporary loans are from time to time outstanding or have been paid from the proceeds of securities issued and sold under the authority of *The Financial Administration Act* for the purpose of such payment, shall not exceed in the aggregate \$500,000,000. ^{Loans up to \$ 500,000,000 authorized} ^{R.S.O. 1960, c. 142}

(2) The sum or sums of money authorized to be raised by subsection 1 for the purposes mentioned therein shall be in addition to all sums of money authorized to be raised by way of loan under any other Act. ^{Idem}

2. Any such sum or sums may be raised in any manner provided by *The Financial Administration Act* and shall be raised upon the credit of the Consolidated Revenue Fund and shall be chargeable thereupon. ^{Idem}

Commence-
ment

3. This Act comes into force on the day it receives Royal Assent.

Short title

4. This Act may be cited as *The Ontario Loan Act, 1967*.

CHAPTER 68

An Act to amend
The Ontario Municipal Board Act

Assented to June 15th, 1967
Session Prorogued June 15th, 1967

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Subsection 2 of section 15 of *The Ontario Municipal Board Act*, as amended by section 1 of *The Ontario Municipal Board Amendment Act, 1966*, is repealed and the following substituted therefor:

R.S.O. 1960,
c. 274, s. 15,
subs. 2,
re-enacted

(2) The report of such member may be adopted as the order or decision of the Board by the chairman or by two other members of the Board, one of whom shall be a vice-chairman, or may be otherwise dealt with as the Board deems proper.

Report

2.—(1) Clause *a* of subsection 2 of section 64 of *The Ontario Municipal Board Act*, as re-enacted by subsection 2 of section 1 of *The Ontario Municipal Board Amendment Act, 1962-63*, is repealed and the following substituted therefor:

R.S.O. 1960,
c. 274, s. 64,
subs. 2
(1962-63,
c. 97, s. 1,
subs. 2),
cl. *a*,
re-enacted

(a) to incurring a debt payable within the two-year or three-year term for which the council was elected at a biennial or triennial election or to the exercise of powers to proceed with any of the undertakings, works, projects, schemes, acts, matters or things referred to in subsection 2 of section 286 of *The Municipal Act*, except where the whole or any part of the cost thereof is to be provided for by the issue of debentures by any municipality; or

R.S.O. 1960,
c. 249

.

(2) Subsection 7 of the said section 64, as enacted by section 2 of *The Ontario Municipal Board Amendment Act, 1966*, is amended by inserting after "class" in the fifth line "or classes", so that the subsection shall read as follows:

R.S.O. 1960,
c. 274, s. 64,
subs. 7
(1966,
c. 105, s. 2),
amended

Application
for approval
of class or
classes of
work

- (7) An application may be made by a municipality for approval by the Board of expenditures and the borrowing of money and the issuing of debentures and, where necessary, for an order dispensing with a vote of the electors under section 63 for a class or classes of work without specifying any particular work, and the Board may dismiss the application or may approve part or all thereof, provided that the municipality shall not make any commitment for or do any act to commence any work to be financed under an order of the Board made on such application until the municipal treasurer has certified that funds can be provided under such order in payment thereof.

R.S.O. 1960,
c. 274, s. 94
(1961-62,
c. 96, s. 3,
subs. 1),
amended

3. Section 94 of *The Ontario Municipal Board Act*, as re-enacted by subsection 1 of section 3 of *The Ontario Municipal Board Amendment Act, 1961-62* and amended by section 2 of *The Ontario Municipal Board Amendment Act, 1965*, is further amended by adding thereto the following subsection:

Withdrawal
of petition

- (2) Any party or person who has filed a petition under subsection 1 may at any time withdraw the petition by filing a notice of withdrawal with the Clerk of the Executive Council.

Commence-
ment

4.—(1) This Act, except subsection 1 of section 2, comes into force on the day it receives Royal Assent.

Idem

(2) Subsection 1 of section 2 shall be deemed to have come into force on the 29th day of March, 1961.

Short title

5. This Act may be cited as *The Ontario Municipal Board Amendment Act, 1967*.

CHAPTER 69

An Act to amend The Ontario Universities Capital Aid Corporation Act, 1964

*Assented to June 15th, 1967
Session Prorogued June 15th, 1967*

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Section 1 of *The Ontario Universities Capital Aid Corporation Act, 1964* is amended by relettering clauses *a* and *b* as clauses *b* and *c* respectively and by adding thereto the following clause:

- (a) "college" means a college of applied arts and technology established under section 14a of *The Department of Education Act*.

2. Section 2 of *The Ontario Universities Capital Aid Corporation Act, 1964* is repealed and the following substituted therefor:

2. This Act applies,

Application
of Act

(a) to all colleges; and

(b) to such universities as are designated by the Minister of University Affairs.

3. Subsection 1 of section 3 of *The Ontario Universities Capital Aid Corporation Act, 1964* is amended by striking out "five" in the fifth line and inserting in lieu thereof "seven", so that the subsection shall read as follows:

- (1) There is hereby established on behalf of Her Majesty in right of Ontario a corporation without share capital under the name of "The Ontario Universities Capital Aid Corporation" consisting of not fewer than three and not more than seven members appointed by the Lieutenant Governor in Council.

1964,
c. 85, s. 4,
re-enacted

4. Section 4 of *The Ontario Universities Capital Aid Corporation Act, 1964* is repealed and the following substituted therefor:

Objects

4. The objects of the Corporation are,

- (a) to purchase from colleges bonds or debentures issued by them for capital construction projects that have been approved by the Minister of Education; and
- (b) to purchase from universities bonds or debentures issued by them for capital construction projects that have been approved by the Minister of University Affairs.

1964,
c. 85, s. 6,
subs. 2,
cl. a,
amended

5. Clause *a* of subsection 2 of section 6 of *The Ontario Universities Capital Aid Corporation Act, 1964* is amended by striking out "object" in the first line and inserting in lieu thereof "objects", so that the clause shall read as follows:

- (a) the carrying out of the objects of the Corporation mentioned in section 4.

1964,
c. 85, s. 11,
amended

6. Section 11 of *The Ontario Universities Capital Aid Corporation Act, 1964* is amended by adding thereto the following subsection:

Purchase of
college
debentures

- (2) The Corporation, with the approval of the Lieutenant Governor in Council and subject to the regulations made under this Act, may from time to time purchase from any college bonds or debentures issued by the college for capital construction projects approved by the Minister of Education.

1964,
c. 85, s. 15,
cls. b-f,
re-enacted

7. Clauses *b, c, d, e* and *f* of section 15 of *The Ontario Universities Capital Aid Corporation Act, 1964* are repealed and the following substituted therefor:

- (b) the arrangements that the Corporation may make for the purchase of debentures of colleges and universities, and the purchase of such debentures;
- (c) the manner in which colleges and universities may apply to the Corporation for its purchase of their debentures, and the forms, records and proofs to be furnished with such applications;
- (d) the conditions to be imposed with regard to the purchase by the Corporation of debentures of colleges and universities;

(e)

- (e) the consideration and granting by the Corporation of applications for its purchase of debentures of colleges and universities;
- (f) the sale, hypothecation or other disposition by the Corporation of any debentures of colleges and universities purchased by the Corporation.

8. This Act comes into force on the day it receives Royal ^{Commence-}
Assent._{ment}

9. This Act may be cited as *The Ontario Universities* ^{Short title}
Capital Aid Corporation Amendment Act, 1967.

CHAPTER 70

An Act to amend The Parks Assistance Act

*Assented to March 22nd, 1967
Session Prorogued June 15th, 1967*

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Section 1 of *The Parks Assistance Act*, as amended by R.S.O. 1960, section 1 of *The Parks Assistance Amendment Act, 1961-62* ^{c. 285, s. 1, amended} and section 1 of *The Parks Assistance Amendment Act, 1962-63*, is further amended by adding thereto the following subsection:

- (2) An elementary or secondary school board having jurisdiction only in territory without municipal organization has the powers of the council of a municipality under this Act, and the provisions of this Act apply *mutatis mutandis* to such a school board. ^{School boards in territory without municipal organization}

2. This Act comes into force on the day it receives Royal Assent. <sup>Commence-
ment</sup>

3. This Act may be cited as *The Parks Assistance Amendment Act, 1967*. ^{Short title}

CHAPTER 71

An Act to amend The Penal and Reform Institutions Inspection Act

*Assented to June 15th, 1967
Session Prorogued June 15th, 1967*

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Subsection 2 of section 9 of *The Penal and Reform Institutions Inspection Act* is repealed and the following substituted therefor: R.S.O. 1960, c. 291, s. 9, subs. 2, re-enacted

- (2) Where the official in charge of a penal and reform institution reports to an officer designated under subsection 1 that a prisoner, inmate or other person confined or detained in any such institution requires hospitalization in a psychiatric facility under *The Mental Health Act, 1967*, such officer, if otherwise permitted by law, has authority to allow the prisoner, inmate or other person to be so hospitalized, and, where the prisoner, inmate or other person is so hospitalized, he shall be deemed while his sentence is in force to be confined in a penal and reform institution. Hospitalization in psychiatric facility 1967, c. 51

2. This Act comes into force on the day that *The Mental Health Act, 1967* is proclaimed in force. Commencement

3. This Act may be cited as *The Penal and Reform Institutions Inspection Amendment Act, 1967*. Short title

CHAPTER 72

**An Act to amend
The Pension Benefits Act, 1965**

*Assented to April 26th, 1967
Session Prorogued June 15th, 1967*

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. *The Pension Benefits Act, 1965* is amended by adding <sup>1965, c. 96,
amended</sup> thereto the following sections:

22a. In any pension plan filed for registration in accordance with section 18, <sup>Contents of
plans</sup>

(a) the age and service conditions for membership shall not, in the opinion of the Commission, prevent the gradual accrual of benefits or the spreading of the employer's contributions over an employee's years of service in the class covered by the plan; and

(b) provision for computation of the employer's contributions and of the pension benefit and, in the case of a deferred profit-sharing pension plan, the formula governing allocation of contributions and surplus amongst the members of the plan shall not be variable at the discretion of the employer,

unless in the opinion of the Commission the circumstances of the plan warrant otherwise.

22b. Moneys payable under a pension plan shall not be assigned, charged, anticipated or given as security and are exempt from execution, seizure or attachment, and any transaction purporting to assign, charge, anticipate or give as security such moneys is void. <sup>Pension
benefits not
alienable or
attachable</sup>

Commence-
ment

2. This Act comes into force on the day it receives Royal Assent.

Short title

3. This Act may be cited as *The Pension Benefits Amendment Act, 1967*.

CHAPTER 73

**An Act to reform and make uniform the
Law regarding Security Interests in
Personal Property and Fixtures**

*Assented to June 15th, 1967
Session Prorogued June 15th, 1967*

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. In this Act,

Interpre-
tation

- (a) “accessions” means goods that are installed in or affixed to other goods;
- (b) “account debtor” means a person who is obligated on chattel paper or on an intangible;
- (c) “chattel paper” means one or more than one writing that expresses both a monetary obligation and a security interest in specific goods;
- (d) “collateral” means property that is subject to a security interest;
- (e) “consumer goods” means goods that are used or acquired for use primarily for personal, family or household purposes;
- (f) “creditor” includes an assignee for the benefit of creditors, a trustee in bankruptcy, a receiver, and an executor, administrator or committee;
- (g) “debtor” means a person who owes payment or other performance of the obligation secured, whether or not he owns or has rights in the collateral, and includes an assignor of book debts and an assignee of the debtor’s interest in the collateral referred to in subsection 1 of section 49, or such one or more of them as the context requires;

(h)

- (h) "default" means the failure to pay or otherwise perform the obligation secured when due or the occurrence of any event whereupon under the terms of the security agreement the security becomes enforceable;
- (i) "document of title" means any writing that purports to be issued by or addressed to a bailee and purports to cover such goods in the bailee's possession as are identified or fungible portions of an identified mass, and that in the ordinary course of business is treated as establishing that the person in possession of it is entitled to receive, hold and dispose of the document and the goods it covers;
- (j) "equipment" means goods that are not inventory or consumer goods;
- (k) "goods" means all chattels personal, other than choses in action and money, and includes emblements and industrial growing crops, and oil, gas and other minerals to be extracted, and timber to be cut, and goods are either consumer goods, equipment or inventory;
- (l) "instrument" means a bill, note or cheque within the meaning of the *Bills of Exchange Act* (Canada), or any other writing that evidences a right to the payment of money and is of a type that in the ordinary course of business is transferred by delivery with any necessary endorsement or assignment, but does not include a writing that constitutes part of chattel paper, a document of title or securities;
- (m) "intangible" means all personal property, including choses in action, that is not goods, chattel paper, documents of title, instruments or securities;
- (n) "inventory" means goods that are held by a person for sale or lease, or that are to be furnished or have been furnished under a contract of service, or that are raw materials, work in process or materials used or consumed in a business or profession;
- (o) "judge" means a judge of a county or district court;
- (p) "notify" means to take such steps as are reasonably required to give information to the person to be notified so that,

(i) it comes to his attention, or

(ii)

- (ii) it is directed to such person at his customary address or at his place of residence, or at such other place as is designated by him over his signature,

and “notification” has a corresponding meaning;

- (q) “prescribed” means prescribed by the regulations;
- (r) “proceeds” means personal property in any form or fixtures derived directly or indirectly from any dealing with collateral or proceeds or that indemnifies or compensates for collateral destroyed or damaged;
- (s) “purchase-money security interest” means a security interest that is,
 - (i) taken or reserved by the seller of the collateral to secure payment of all or part of its price, or
 - (ii) taken by a person who gives value that enables the debtor to acquire rights in or the use of the collateral, if such value is applied to acquire such rights;
- (t) “registrar” means the registrar of personal property security;
- (u) “regulations” means the regulations made under this Act;
- (v) “secured party” means a person who has a security interest;
- (w) “securities” means shares, stock, warrants, bonds, debentures, debenture stock or the like issued by a corporation or other person, or a partnership, association or government;
- (x) “security agreement” means an agreement that creates or provides for a security interest;
- (y) “security interest” means an interest in goods, other than building materials that have been affixed to the realty, fixtures, documents of title, instruments, securities, chattel papers or intangibles that secures payment or performance of an obligation, and includes an interest arising from an assignment of book debts;
- (z) “value” means any consideration sufficient to support a simple contract.

PART I

GENERAL

Application
of Act

2. Subject to subsection 1 of section 3, this Act applies,

(a) to every transaction without regard to its form and without regard to the person who has title to the collateral that in substance creates a security interest, including, without limiting the foregoing,

(i) a chattel mortgage, conditional sale, equipment trust, floating charge, pledge, trust deed or trust receipt, and

(ii) an assignment, lease or consignment intended as security; and

(b) to every assignment of book debts not intended as security, but not to an assignment for the general benefit of creditors to which *The Assignments and Preferences Act* applies.

R.S.O. 1960,
c. 25

Where Act
does not
apply

3.—(1) This Act does not apply,

(a) to a lien given by statute or rule of law, except as provided in section 32, clause *b* of subsection 3 of section 36, and clause *b* of subsection 2 of section 37;

(b) to a transfer of an interest or claim in or under any policy of insurance or contract of annuity;

(c) to a mortgage, charge or assignment whose registration is provided for in *The Corporation Securities Registration Act*; or

R.S.O. 1960,
c. 70

1966, c. 111

(d) to a transaction under *The Pawnbrokers Act, 1966*.

Rights
under
R.S.O. 1960,
c. 358,
not
affected

(2) The rights of buyers and sellers under subsection 2 of section 20 and sections 39, 40, 41 and 43 of *The Sale of Goods Act* are not affected by this Act.

Errors,
omissions,
etc.

4. A document to which this Act applies is not invalidated nor shall its effect be destroyed by reason only of a defect, irregularity, omission or error therein or in the execution thereof unless, in the opinion of the judge or court, the defect, irregularity, omission or error is shown to have actually misled some person whose interests are affected by the document.

Conflict
of laws

5.—(1) Where the chief place of business of a debtor is in Ontario, the validity and perfection of a security interest and the possibility and effect of proper registration with regard to intangibles or with regard to goods of a type that are normally

used in more than one jurisdiction, if such goods are classified as equipment or classified as inventory by reason of their being leased by the debtor to others, are governed by this Act.

(2) Where the chief place of business of a debtor is not in ^{Idem} Ontario, the validity and perfection of a security interest and the possibility and effect of proper registration with regard to intangibles or with regard to goods of a type that are normally used in more than one jurisdiction, if such goods are classified as equipment or classified as inventory by reason of their being leased by the debtor to others, are governed by the law, including the conflict of law rules, of the jurisdiction in which the chief place of business is located.

(3) If a jurisdiction does not provide, by registration or ^{Idem} recording in such jurisdiction, for perfection of a security interest of the kind referred to in subsections 1 and 2, the security interest may be perfected by registration in Ontario.

6.—(1) Where personal property, other than that governed by subsection 1 or 2 of section 5, was already subject to a security interest when it was brought into Ontario, the validity of the security interest in Ontario is to be determined by the law, including the conflict of laws rules, of the jurisdiction where the property was when the security interest attached. ^{Conflict of laws, continued}

(2) Where goods brought into Ontario are subject to the seller's right to revendicate or to resume possession of the goods, unless the seller registers a caution in the prescribed form within twenty days after the day on which the goods were brought into Ontario, such right is unenforceable in Ontario thereafter. ^{Right of revendication}

7.—(1) Subject to section 5, a security interest in collateral already perfected under the law of the jurisdiction in which the collateral was when the security interest attached and before being brought into Ontario continues perfected in Ontario for sixty days and also thereafter if within the sixty-day period it is perfected in Ontario. ^{Conflict of laws, continued}

(2) Notwithstanding subsection 1, where the secured party receives notice within the sixty-day period mentioned therein that the collateral has been brought into Ontario, his security interest in the collateral ceases to be perfected in Ontario unless he registers the security agreement covering the collateral within fifteen days from the date that he receives such notice or upon the expiration of the sixty-day period, whichever is earlier. ^{Idem}

Idem

(3) A security interest that has ceased to be perfected in Ontario due to the expiration of the sixty-day period may thereafter be perfected in Ontario, but such perfection takes effect from the time of its perfection in Ontario.

Conflict
of laws,
concluded

8. Where a security interest was not perfected under the law of the jurisdiction in which the collateral was when the security interest attached and before being brought into Ontario, it may be perfected in Ontario within thirty days from the date the collateral is brought into Ontario, in which case perfection dates from the time of perfection in Ontario.

PART II

VALIDITY OF SECURITY AGREEMENTS AND RIGHTS OF PARTIES

Effectiveness
of security
agreement

9. Except as otherwise provided by this or any other Act, a security agreement is effective according to its terms between the parties to it and against third parties.

Enforce-
ability of
security
interest

10. A security interest is not enforceable by or against a third party unless,

- (a) the collateral is in the possession of the secured party; or
- (b) the debtor has signed a security agreement that contains a description of the collateral and, if the collateral is or includes fixtures or crops, or oil, gas or other minerals to be extracted, or timber to be cut, a description of the land concerned.

Delivery of
copy of
agreement

11. Where a security interest is created or provided for by a security agreement, the secured party shall deliver a copy of the security agreement to the debtor within ten days after the execution thereof, and, if he fails to do so after a request by the debtor, a judge may on summary application by the debtor make an order for the delivery of such a copy to the debtor and may make such order as to costs as he deems just.

When
security
interest
attaches

12.—(1) A security interest attaches when,

- (a) the parties intend it to attach;
- (b) value is given; and
- (c) the debtor has rights in the collateral.

Idem

(2) For the purpose of subsection 1, the debtor has no rights in,

(a)

- (a) crops until they become growing crops;
- (b) fish until they are caught;
- (c) oil, gas or other minerals until they are extracted; or
- (d) timber until it is cut.

13.—(1) Except as provided in subsection 2, a security agreement may cover after-acquired property and the young of animals after conception. After-acquired property, etc.

(2) No security interest attaches under an after-acquired property clause in a security agreement, Exception

- (a) to crops that become such more than one year after the security agreement has been executed, except that a security interest in crops that is given in conjunction with a lease, purchase or mortgage of land may, if so agreed, attach to crops to be grown on the land concerned during the term of such lease, purchase or mortgage; or
- (b) to consumer goods, other than accessions, unless the debtor acquires rights in them within ten days after the secured party gives value.

14. A purchase-money security interest in consumer goods does not attach to any collateral other than such consumer goods. Limitation on coverage

15. A security agreement may secure future advances or other value whether or not the advances or other value are given pursuant to commitment. Future advances

16. Except as to consumer goods, an agreement by a debtor not to assert against an assignee any claim or defence that he has against his seller or lessor is enforceable by the assignee who takes the assignment for value, in good faith and without notice, except as to such defences as may be asserted against the holder in due course of a negotiable instrument under the *Bills of Exchange Act* (Canada). Agreement not to assert defence against assignee

R.S.C. 1952,
c. 15

17. Where a seller retains a purchase-money security interest in goods, Seller's warranties

- (a) *The Sale of Goods Act* governs the sale and any disclaimer, limitation or modification of the seller's conditions and warranties; and R.S.O. 1960, c. 358
- (b) except as provided in section 16, the conditions and warranties in a sale agreement shall not be affected by any security agreement.

Provision to
accelerate

18. Where a security agreement provides that the secured party may accelerate payment or performance when he deems himself insecure, such provision shall be construed to mean that he has power to do so only if he in good faith believes that the prospect of payment or performance is impaired.

Care of
collateral

19.—(1) A secured party shall use reasonable care in the custody and preservation of collateral in his possession, and, unless otherwise agreed, in the case of an instrument or chattel paper, reasonable care includes taking necessary steps to preserve rights against prior parties.

Idem,
rights and
duties of
secured
party

(2) Unless otherwise agreed, where collateral is in the secured party's possession,

- (a)** reasonable expenses, including the cost of insurance and payment of taxes or other charges incurred in the custody and preservation of the collateral, are chargeable to the debtor and are secured by the collateral;
- (b)** the risk of loss or damage, except where caused by the negligence of the secured party, is on the debtor to the extent of any deficiency in any insurance coverage;
- (c)** the secured party may hold as additional security any increase or profits, except money, received from the collateral, and money so received, unless remitted to the debtor, shall be applied forthwith upon its receipt in reduction of the secured obligation;
- (d)** the secured party shall keep the collateral identifiable, but fungible collateral may be commingled; and
- (e)** the secured party may create a security interest in the collateral upon terms that do not impair the debtor's right to redeem it.

Liability
for loss

(3) A secured party is liable for any loss or damage caused by his failure to meet any obligations imposed by subsection 1 or 2, but does not lose his security interest.

Use of
collateral

(4) A secured party may use the collateral,

- (a)** in the manner and to the extent provided in the security agreement;

(b)

(b) for the purpose of preserving the collateral or its value; or

(c) pursuant to an order of,

(i) the court before which a question relating thereto is being heard, or

(ii) a judge upon application by originating notice to all persons concerned.

(5) A secured party,

Idem

(a) is liable for any loss or damage caused by his use of the collateral otherwise than as authorized by subsection 4; and

(b) is subject to being ordered or restrained as provided in subsection 1 of section 62.

20.—(1) A debtor or a person having an interest in the collateral or an execution creditor may, by a notice in writing, require the secured party to furnish him with a statement in writing, Statements of account

(a) of the amount of the indebtedness and of the terms of payment thereof as of the date specified in the notice;

(b) approving or correcting as of the date specified in the notice a statement of the collateral attached to the notice; and

(c) approving or correcting as of the date specified in the notice a statement of the amount of the indebtedness and of the terms of payment thereof,

or any one or two of them.

(2) In the case of clause *b* of subsection 1, if the secured party claims a security interest in all of a particular type of collateral owned by the debtor, he may so indicate in lieu of approving or correcting the itemized list of such collateral contained in the statement of the collateral and attached to the notice. *Idem*

(3) The secured party shall answer a notice given under subsection 1 within fifteen days after he receives it, and, if without reasonable excuse he fails so to do or his answer is incomplete or incorrect, he is liable for any loss or damage caused thereby to the debtor or any other person. Time for compliance with notice, liability for failure to answer

Successors
in interest

(4) Where the person receiving a notice under subsection 1 no longer has an interest in the obligation or collateral, he shall, within fifteen days after he receives the notice, disclose the name and address of the latest successor in interest known to him, and, if without reasonable excuse he fails so to do or his answer is incomplete or incorrect, he is liable for any loss or damage caused thereby to the debtor or any other person.

Idem

(5) A successor in interest shall be deemed to be the secured party for the purposes of this section when he receives a notice under subsection 1.

PART III

PERFECTION OF INTEREST

Time when
perfected

21. A security interest is perfected when,

(a) it has attached; and

(b) all steps required for perfection under any provision of this Act have been completed,

regardless of the order of occurrence.

Where
unperfected
security
interest
subordinate

22.—(1) Except as provided in subsection 3, an unperfected security interest is subordinate to,

(a) the interest of a person,

(i) who is entitled to a priority under this or any other Act, or

(ii) who, without knowledge of the security interest and before it is perfected, assumes control of the collateral through legal process, or

(iii) who represents the creditors of the debtor as assignee for the benefit of creditors, trustee in bankruptcy or receiver; and

(b) the interest of a transferee who is not a secured party to the extent that he gives value without knowledge of the security interest and before it is perfected,

(i) of chattel paper, documents of title, securities, instruments or goods in bulk or otherwise, not in the ordinary course of the business of the transferor and where the transferee receives delivery of the collateral, or

(ii) of intangibles.

(2) The rights of a person under subclause iii of clause *a* ^{Idem} of subsection 1 in respect of the collateral are referable to the date from which his status has effect and arise without regard to the personal knowledge of the representative if any represented creditor was, on the relevant date, without knowledge of the unperfected security interest.

(3) A purchase-money security interest that is registered before or within ten days after the debtor's possession of the collateral commences has priority over, ^{Purchase-money security interest}

- (a) an interest set out in subclause ii or iii of clause *a* of subsection 1; and
- (b) transfers in bulk or otherwise, not in the ordinary course of business, occurring between the security interest's attaching and its being registered.

23.—(1) If a security interest is originally perfected in any way permitted under this Act and is again perfected in some way under this Act without an intermediate period when it was unperfected, the security interest shall be deemed to be perfected continuously for the purposes of this Act. ^{Continuity of perfection}

(2) An assignee of a security interest succeeds in so far as its perfection is concerned to the position of the assignor at the time of the assignment. ^{Assignees}

24. Except as provided in section 26, possession of the collateral by the secured party, or on his behalf by a person other than the debtor or the debtor's agent, perfects a security interest in, ^{Perfection by possession}

- (a) chattel paper;
- (b) goods;
- (c) instruments;
- (d) securities;
- (e) letters of credit and advices of credit; or
- (f) negotiable documents of title,

but, subject to section 23, only during its actual holding as collateral.

25.—(1) Subject to section 21, registration perfects a security interest in, ^{Perfection by registration}

(a)

- (a) chattel paper;
- (b) goods;
- (c) intangibles; or
- (d) documents of title.

Idem

(2) A security interest is not perfected until it is registered, except in the case of a security interest,

- (a) in collateral in possession of the secured party under section 24; or
- (b) temporarily perfected in instruments, securities or negotiable documents of title under section 26.

Temporary
perfection

26.—(1) A security interest in instruments, securities or negotiable documents of title is a perfected security interest for the first ten days after it attaches to the extent that it arises for new value given under a registered security agreement.

Idem

(2) A perfected security interest in,

- (a) an instrument that a secured party delivers to the debtor for the purpose of,
 - (i) ultimate sale or exchange,
 - (ii) presentation, collection or renewal, or
 - (iii) registration of transfer; or
- (b) a negotiable document of title or goods held by a bailee that are not covered by a negotiable document of title, which document of title or goods the secured party makes available to the debtor for the purpose of,
 - (i) ultimate sale or exchange,
 - (ii) loading, unloading, storing, shipping or transshipping, or
 - (iii) manufacturing, processing, packaging or otherwise dealing with goods in a manner preliminary to their sale or exchange,

remains perfected for the first ten days after the collateral comes under the control of the debtor.

(3) Beyond the period of ten days referred to in subsection 1 ^{Idem} or 2, a security interest under this section becomes subject to the provisions of this Act for perfecting a security interest.

27.—(1) Subject to this Act, a security interest in collateral ^{Perfecting as to proceeds} that is dealt with so as to give rise to proceeds,

(a) continues as to the collateral, unless the secured party expressly or impliedly authorized such dealing; and

(b) extends to the proceeds.

(2) Where a security interest in collateral was a perfected ^{Idem} security interest at the time of the dealing,

(a) the security interest under clause *a* of subsection 1 is perfected in so far as sections 23, 24 and 25 are satisfied; and

(b) the security interest under clause *b* of subsection 1 becomes unperfected ten days thereafter unless expressly covered by a security agreement or a notice of intention relating to the original collateral that was at the time of dealing perfected by registration, but there is no perfected security interest in proceeds that are not identifiable or traceable.

28.—(1) A security interest in goods in the possession of a ^{Perfecting as to goods held by bailee} bailee who has issued a negotiable document of title covering them is perfected by perfecting a security interest in the document, and any security interest in them otherwise perfected while they are so covered is subject thereto.

(2) A security interest in goods in the possession of a bailee, ^{Idem} other than a bailee mentioned in subsection 1, is perfected by,

(a) issuance of a document of title in the name of the secured party;

(b) a holding on behalf of the secured party pursuant to section 24; or

(c) registration as to the goods.

29.—(1) A security interest in goods that are the subject ^{Goods returned or repossessed} of a sale or exchange and that are returned to, or repossessed by,

(a) the person who sold or exchanged them; or

(b) a transferee of an intangible or chattel paper resulting from the sale of them,

re-attaches to the extent that the secured indebtedness remains unpaid.

Idem

(2) Where the security interest was perfected by a registration that is still effective at the time of the sale or exchange, it re-attaches as a perfected interest, but otherwise requires for its perfection a registration or a taking of possession by the secured party.

Transferees

(3) A transferee of,

(a) an intangible resulting from a sale; or

(b) except as otherwise provided in section 30, chattel paper resulting from a sale,

has, as against the transferor, a security interest that is,

(c) subordinate to a security interest under subsection 1 that was a perfected interest when the goods became the subject of the sale or exchange; and

(d) otherwise subject to section 35.

Idem

(4) A transferee of an intangible or chattel paper resulting from a sale is, with respect to persons asserting interests in the goods under provisions other than subsections 1, 2 and 3, subject to the provisions of this Act for perfecting a security interest.

Effect of perfection on purchasers of goods in ordinary course of business

30.—(1) A purchaser of goods from a seller who sells the goods in the ordinary course of business takes them free from any security interest therein given by his seller even though it is perfected and the purchaser actually knows of it.

Idem, purchasers of chattel paper

(2) A purchaser of chattel paper who takes possession of it in the ordinary course of his business has, to the extent that he gives new value, priority over any other security interest in it,

(a) that was perfected under section 25 if he did not actually know at the time he took possession that the chattel paper was subject to a security interest; or

(b) that has attached to proceeds of inventory under section 27, whatever the extent of his knowledge.

Idem, purchasers of non-negotiable instruments

(3) A purchaser of a non-negotiable instrument who takes possession of it in the ordinary course of his business has priority to the extent that he gives new value over a security interest in it that was perfected under section 26 if he did

not actually know at the time he took possession that the instrument was subject to a security interest.

31.—(1) The rights of,

- (a) a holder in due course of a bill, note or cheque within the meaning of the *Bills of Exchange Act* (Canada);
- (b) a holder of a negotiable document of title who takes it in good faith for value; or
- (c) a *bona fide* purchaser of securities,

Bona fide
purchasers
of negotiable
instruments,
etc.

R.S.C. 1952,
c. 15

are to be determined without regard to this Act.

(2) Registration under this Act is not such notice as to affect the rights of persons mentioned in subsection 1.

Idem

32. Where a person in the ordinary course of business furnishes materials or services with respect to goods in his possession that are subject to a security interest, any lien that he has in respect of such materials or services has priority over a perfected security interest unless the lien is given by an Act that does not provide that the lien has such priority.

Priority
of liens for
materials
and services

33. The rights of a debtor in collateral may be transferred voluntarily or involuntarily notwithstanding a provision in the security agreement prohibiting transfer or declaring a transfer to be a default, but no transfer prejudices the rights of the secured party under the security agreement or otherwise.

Alienation
of rights
of debtors

34.—(1) A perfected security interest in crops or their proceeds given for a consideration to enable the debtor to produce the crops during the production season and given not more than three months before the crops become growing crops by planting or otherwise has priority over an earlier perfected security interest to the extent that such earlier interest secures obligations due more than six months before the crops become growing crops by planting or otherwise, even though the person giving the consideration knew of the earlier security interest.

Special
priorities,
crops

(2) A purchase-money security interest in inventory or its proceeds has priority over any other security interest in the same collateral,

Idem,
purchase-
money
security
interests,
inventory

- (a) if the purchase-money security interest was perfected at the time the debtor received possession of the collateral; and

(b)

- (b) if any secured party, whose security interest was actually known to the holder of the purchase-money security interest or who, prior to the registration by the holder of the purchase-money security interest, had registered a security agreement, a notice of intention or a caution covering the same items or type of inventory, had received notification of the purchase-money security interest before the debtor received possession of the collateral covered by the purchase-money security interest; and
- (c) if such notification states that the person giving the notice had or expected to acquire a purchase-money security interest in inventory of the debtor, describing such inventory by item or type.

Idem,
purchase-
money
security
interests,
other than
inventory

(3) A purchase-money security interest in collateral or its proceeds, other than inventory, has priority over any other security interest in the same collateral if the purchase-money security interest was perfected at the time the debtor obtained possession of the collateral or within ten days thereafter.

Priorities,
general rule

35.—(1) If no other provision of this Act is applicable, priority between security interests in the same collateral shall be determined,

- (a) by the order of registration, if the security interests have been perfected by registration;
- (b) by the order of perfection, unless the security interests have been perfected by registration; or
- (c) by the order of attachment under subsection 1 of section 12, if no security interest has been perfected.

Idem

(2) For the purposes of subsection 1, a continuously perfected security interest shall be treated at all times as if perfected by registration, if it was originally so perfected, and it shall be treated at all times as if perfected otherwise than by registration if it was originally perfected otherwise than by registration.

Priority
of security
interests,
fixtures

36.—(1) Subject to subsection 3 of this section and notwithstanding subsection 3 of section 34, a security interest that attached to goods before they became fixtures has priority as to the goods over the claim of any person who has an interest in the real property.

Idem

(2) Subject to subsection 3, a security interest that attached to goods after they became fixtures has priority over the claim of any person who subsequently acquired an interest in the

real property, but not over any person who had a registered interest in the real property at the time the security interest attached to the goods and who has not consented in writing to the security interest or disclaimed an interest in the goods as fixtures.

(3) The security interests referred to in subsections 1 and 2 ^{Exceptions} are subordinate to the interest of,

- (a) a subsequent purchaser or mortgagee for value of an interest in the real property;
- (b) a creditor with a lien on the real property subsequently obtained as a result of judicial process; or
- (c) a creditor with a prior encumbrance of record on the real property in respect of subsequent advances,

if the subsequent purchase or mortgage was made or the lien was obtained or the subsequent advance under the prior encumbrance was made or contracted for, as the case may be, without actual notice of the security interest.

(4) If a secured party, by virtue of subsection 1 or 2 and ^{Removal of collateral} subsection 3, has priority over the claim of a person having an interest in the real property, he may on default, subject to the provisions of this Act respecting default, remove his collateral from the real property if, unless otherwise agreed, he reimburses any encumbrancer or owner of the real property who is not the debtor for the cost of repairing any physical injury excluding diminution in the value of the real property caused by the absence of the goods removed or by the necessity for replacement, but a person so entitled to reimbursement may refuse permission to remove until the secured party has given adequate security for any reimbursement arising under this subsection.

(5) A person having an interest in real property that is ^{Retention of collateral} subordinate to a security interest by virtue of subsection 1 or 2 and subsection 3 may, before the collateral has been removed from the real property by the secured party in accordance with subsection 4, retain the collateral upon payment to the secured party of the amount owing under the security interest having priority over his claim.

37.—(1) Subject to subsection 2 and to section 38 and ^{Accessions} notwithstanding subsection 3 of section 34,

(a)

- (a) a security interest in an accession that attached before the goods became an accession has priority as to the accession over the claim of any person in respect of the whole; and
- (b) a security interest in goods that attached after the goods became an accession has priority over the claim of any person who subsequently acquired an interest in the whole, but not against a person who had an interest in the whole at the date of attachment of the security interest in the accession and who has not consented in writing to the security interest in the accession or disclaimed an interest in the accession as part of the whole.

Exceptions

(2) A security interest referred to in subsection 1 is subordinate to the interest of,

- (a) a subsequent purchaser for value of an interest in the whole; or
- (b) a creditor with a lien on the whole, subsequently obtained as a result of judicial process; or
- (c) a creditor with a prior perfected security interest in the whole to the extent that he makes subsequent advances,

if the subsequent purchase was made, the lien was obtained or the subsequent advance under the prior perfected security interest was made or contracted for without notice of the security interest.

Removal of collateral

(3) If a secured party, by virtue of subsections 1 and 2, has an interest in an accession that has priority over the claim of any person having an interest in the whole, he may, on default, subject to the provisions of this Act respecting default, remove his collateral from the whole if, unless otherwise agreed, he reimburses any encumbrancer or owner of the whole who is not the debtor for the cost of repairing any physical injury excluding diminution in value of the whole caused by the absence of the goods removed or by the necessity for replacement, but a person so entitled to reimbursement may refuse permission to remove until the secured party has given adequate security for any reimbursement arising under this subsection.

Retention of collateral

(4) A person having a security interest in the whole that is subordinate to a security interest by virtue of subsections 1 and 2 may, before the collateral has been removed

by the secured party in accordance with subsection 3, retain the collateral upon payment to the secured party of the amount owing under the security interest having priority over his claim.

38. A perfected security interest in goods that subsequently become part of a product or mass continues in the product or mass if the goods are so manufactured, processed, assembled or commingled that their identity is lost in the product or mass, and, if more than one security interest attaches to the product or mass, the security interests rank equally according to the ratio that the cost of the goods to which each interest originally attached bears to the cost of the total product or mass.

39. A secured party may, in the security agreement or otherwise, subordinate his security interest to any other security interest.

40.—(1) Unless an account debtor has made an enforceable agreement not to assert defences or claims arising out of a sale as provided by section 16, the rights of an assignee are subject to,

- (a) all the terms of the contract between the account debtor and the assignor and any defence or claim arising therefrom; and
- (b) any other defence or claim of the account debtor against the assignor that accrued before the account debtor received notice of the assignment.

(2) The account debtor may pay the assignor until the account debtor receives notice, reasonably identifiable with the relevant rights, that the account has been assigned, and, if requested by the account debtor, the assignee shall furnish proof within a reasonable time that the assignment has been made, and, if he does not do so, the account debtor may pay the assignor.

PART IV

REGISTRATION

41.—(1) A registration system, including a central office and branch offices, shall be established for the purposes of this Act.

(2) The central office of the registration system shall be located at or near the City of Toronto.

Branch
offices

(3) Branch offices of the registration system shall be established at such places as are designated by the regulations.

Registrar,
appoint-
ment

42.—(1) There shall be a registrar of personal property security and a branch registrar for each branch office.

function

(2) It shall be the function of the registrar, under the direction of the Inspector of Legal Offices, to supervise the operation of the registration system established for the purposes of this Act.

seal of
office

(3) The registrar and each branch registrar shall have a seal of office in such form as the Lieutenant Governor in Council approves.

Signing
officers

43. The registrar and each branch registrar may designate one or more persons on the staff of his office to act on his behalf.

Registrar's
certificate

44.—(1) Upon the request of any person and upon payment of the prescribed fee,

(a) the registrar shall issue a certificate stating whether there is registered at the time mentioned in the certificate a security agreement or other document in which the person named in the certificate is shown as a debtor and, if there is, the registration number of it, and any other information recorded in the central office of the registration system;

(b) any registered security agreement or other document shall be provided for inspection at the branch office where it was registered; and

(c) a certified copy of any security agreement or other document shall be furnished at the branch office where it was registered.

Proof of
certificates

(2) A certificate issued under clause *a* of subsection 1 is *prima facie* evidence of the contents thereof.

Proof of
certified
copies

(3) A certified copy furnished under clause *c* of subsection 1 is *prima facie* evidence of the contents of the document so certified.

Assurance
Fund

45.—(1) There shall be an account in the Consolidated Revenue Fund to be known as "The Personal Property Security Assurance Fund", referred to in this section as "the Fund", into which shall be paid the prescribed portion of the fees received under this Act.

(2) Interest shall be credited to the Fund out of the Consolidated Revenue Fund at a rate to be determined from time to time by the Lieutenant Governor in Council, and such interest shall be made up at the close of each fiscal year upon the balance in the Fund at the end of the previous calendar year. Interest

(3) Any person who suffers loss or damage as a result of his reliance upon a certificate of the registrar issued under section 44 that is incorrect because of an error or omission in the operation of the system of registration, recording, and production of information under this Part, is entitled to have compensation paid to him out of the Fund so far as the Fund is sufficient for that purpose, having regard to any other charges thereon, if he makes a claim therefor under subsection 4 within one year from the time of his having suffered the loss or damage. Persons suffering damage to be compensated

(4) A person claiming to be entitled to payment of compensation out of the Fund shall make application therefor in writing to the registrar, setting out therein his full name and address and the particulars of his claim. Claim for compensation

(5) The registrar shall refer the application to the Master of the Supreme Court who shall issue such directions as he thinks proper, hold a hearing, determine the claimant's entitlement to compensation, the amount thereof, and, if awarded, the costs of the proceedings. Reference to Master

(6) The Master shall make his findings and embody his conclusions in the form of a certificate and send by registered mail one copy thereof to the claimant at the address shown in the application and one copy to the registrar. Master's certificate

(7) The certificate of the Master shall be deemed to be confirmed at the expiration of thirty days from the date of mailing it to the claimant, unless notice of appeal is served within that time. Confirmation of certificate

(8) The claimant or the registrar may appeal to the Court of Appeal at any time before the certificate of the Master is confirmed, and the procedure thereon shall be the same as upon an appeal from a report when a whole action has been referred under section 69 of *The Judicature Act*. Appeal

R.S.O. 1960,
c. 197

(9) When the registrar receives a certificate of the Master under subsection 6 and the time for any appeal has expired or, where an appeal is taken, it is disposed of, and it is finally determined that the claimant is entitled to payment of compensation out of the Fund, the registrar shall certify to the Treasurer of Ontario the sum found to be payable, including any costs awarded to the claimant, and the Treasurer shall pay such sum to the claimant out of the Fund. Payment out of Fund

Where documents to be registered, effective time of registration

46. Documents to be registered under this Act shall be tendered for registration at any branch office established under subsection 3 of section 41, but registration is effective only from the time of the recording of the prescribed particulars thereof in the central office and the assignment thereto of a registration number.

Documents to be registered, security agreement or copy

47.—(1) In order to register under this Act for the purpose of perfecting a security interest, the security agreement or a copy thereof signed by the debtor shall, subject to subsection 3, be registered, and it shall contain and legibly set forth at least,

- (a) the full name and address of the debtor;
- (b) the full name and address of the secured party;
- (c) the date of execution of the security agreement;
- (d) a description of the collateral sufficient to identify it; and
- (e) the terms and conditions of the security agreement.

Idem, notice of intention

(2) Where the collateral is goods to be held for sale or lease, a notice of intention to give security signed by the debtor, which contains and legibly sets forth at least,

- (a) the full name and address of the debtor;
- (b) the full name and address of the secured party; and
- (c) a description of the collateral sufficient to identify it,

may, in lieu of the security agreement under subsection 1, be registered before a security agreement is signed or a security interest otherwise attaches, in order to perfect a security interest in such goods.

Where collateral brought into Ontario

(3) Where the collateral was subject to a security interest in an other jurisdiction at the time the collateral was brought into Ontario or where it is desired to perfect a security interest in the proceeds of collateral included in an already perfected security interest, the secured party may register a copy of the security agreement signed by the debtor or a caution in the prescribed form.

What constitutes registration

(4) Registration of a copy of the security agreement signed by the debtor, a notice of intention signed by the debtor or a caution under this section constitutes registration for the purposes of this Act.

(5) Where the collateral is other than instruments, securities, letters of credit, advices of credit, negotiable documents of title or goods to be held for sale or lease with respect to which a notice of intention has been registered, the security agreement shall not be registered after thirty days from the date of its execution. ^{Time limit}

(6) An error of a clerical nature or in an immaterial or non-essential part of a security agreement, caution or notice of intention that does not mislead does not invalidate the registration or destroy the effect of the registration. ^{Errors}

48.—(1) An assignment, or a copy thereof signed by the secured party of record, of a security agreement, notice of intention or caution may also be registered, if the security agreement, notice of intention or caution has been registered under this Act previous to the registration of the assignment, if the assignment contains and legibly sets forth at least, ^{Assignments}

- (a) the full name and address of the debtor;
- (b) the full name and address of the secured party of record;
- (c) the full name and address of the assignee; and
- (d) the registration number given at the time of the registration of the security agreement, notice of intention or caution or, if the assignment is presented for registration at the same time as the security agreement or caution, the registration number of the security agreement or caution that is then endorsed thereon.

(2) Upon the registration of an assignment or a copy thereof under subsection 1, the assignee becomes the secured party of record. ^{Idem}

49.—(1) Where a security interest has been perfected by registration and the debtor with the consent of the secured party assigns his interest in the collateral, the assignee becomes a debtor and the security interest becomes unperfected unless the secured party registers a notice in the prescribed form within fifteen days of the time he consents to the assignment. ^{Assignment of collateral}

(2) Where a security interest has been perfected by registration and the secured party learns that the debtor has assigned his interest in the collateral, the security interest becomes unperfected fifteen days after the secured party learns of the assignment and the name and address of the assignee, unless he registers a notice in the prescribed form within such fifteen days. ^{Where security interest becomes unperfected}

Second
registration

(3) A security interest that becomes unperfected under subsection 1 or 2 may thereafter be perfected by registering a notice in the prescribed form or as otherwise provided by this Act.

Amend-
ments

50. An amendment, or a copy thereof, of a security agreement registered under this Act that refers to the registration number of the security agreement, notice of intention or caution that it amends and that is signed by the secured party of record and by the debtor may be registered at any time during the period that the registration of the security agreement, notice of intention or caution is effective.

Subordina-
tion

51. A separate agreement signed by the secured party of record that provides for the subordination of a security interest created or provided for by a security agreement registered under this Act or as to which a notice of intention or caution is registered under this Act and that refers to the registration number of the security agreement, notice of intention or caution may be registered at any time during the period that the registration of the security agreement, notice of intention or caution is effective.

Renewal
statements

52. A renewal statement in the prescribed form that is signed by the secured party of record may be registered at any time.

Effect of
registration

53.—(1) Where the collateral covered by a security agreement is other than instruments, securities, letters of credit, advices of credit or negotiable documents of title, registration under this Act,

- (a) of a security agreement, notice of intention or caution constitutes notice thereof to all persons claiming any interest in such collateral during the period of three years following such registration;
- (b) of a renewal statement constitutes notice of the security agreement, notice of intention or caution to which it relates to all persons claiming any interest in such collateral during the period of three years following such registration; and
- (c) of any other document constitutes notice thereof to all persons claiming any interest in such collateral during the remainder of the period for which the registration of the security agreement, notice of intention or caution is effective.

(2) Where the collateral is or includes fixtures or goods that may become fixtures, or crops, or oil, gas or other minerals to be extracted, or timber to be cut, the security agreement or any other document that may be registered under this Act containing a description of the land affected sufficient for registration under *The Land Titles Act* or *The Registry Act*, as the case may be, may, whether or not it is registered under this Act, be registered under *The Land Titles Act* or *The Registry Act*. Fixtures
R.S.O. 1960,
cc. 204, 348

54.—(1) Upon performance of all obligations under a security agreement, it shall be discharged, and, upon written demand delivered either personally or by registered mail during the period that the registration of the security agreement or caution is effective by any person having an interest in the collateral to the secured party, the secured party shall sign and deliver personally or by registered mail to the person demanding it, at the place set out in the demand, a certificate of discharge in the prescribed form together with unregistered assignments, if any, of the security agreement. Discharge of
security
agreement

(2) Where there are no outstanding obligations under any security agreement covered by a registered notice of intention, the secured party, upon written demand delivered either personally or by registered mail by a person having an interest in the collateral, shall sign and deliver personally or by registered mail to the person demanding it, at the place set out in the demand, a certificate of discharge of the notice of intention in the prescribed form. Discharge
of notice
of intention

(3) Where it is agreed to release part of the collateral upon payment or performance of certain of the obligations under a security agreement, then, upon payment or performance of such obligations and upon written demand delivered either personally or by registered mail during the period that the registration of the security agreement or caution is effective by any person having an interest in the collateral to the secured party, the secured party shall sign and deliver personally or by registered mail to the person demanding it, at the place set out in the demand, a release in the prescribed form of the collateral as agreed. Release of
part of
collateral

(4) Where the secured party, without reasonable excuse, fails to deliver the required discharge and assignments or release, as the case may be, within ten days after receipt of a demand therefor under subsection 1, 2 or 3, he shall pay \$100 to the person making the demand and any damages resulting from the failure, which sum and damages are recoverable in any court of competent jurisdiction. Failure to
deliver

Security or
payment
into court

(5) Upon application to the county or district court by originating notice to all persons concerned, the judge may,

(a) allow security for or payment into court of the amount claimed by the secured party and such costs as he may fix, and thereupon order that the registration of the security agreement, notice of intention or caution be discharged or that a release of collateral be registered, as the case may be; or

(b) order upon any ground he deems proper that the registration of the security agreement, notice of intention or caution be discharged or that a release of collateral be registered, as the case may be.

Registration
of dis-
charges and
releases

(6) Any discharge of a security agreement or notice of intention and any release of collateral may be registered under this Act.

PART V

DEFAULT—RIGHTS AND REMEDIES

Rights and
remedies
cumulative

55.—(1) The rights and remedies referred to in this Part are cumulative.

Secured
party's
rights and
remedies

(2) Where the debtor is in default under a security agreement, the secured party has, in addition to any other rights and remedies, the rights and remedies provided in the security agreement except as limited by subsection 5, the rights and remedies provided in this Part and, when in possession, the rights, remedies and duties provided in section 19.

Secured
party's
remedies

(3) The secured party may enforce the security interest by any method available in or permitted by law and, if the collateral is or includes documents of title, the secured party may proceed either as to the documents of title or as to the goods covered thereby, and any method of enforcement that is available with respect to the documents of title is also available, *mutatis mutandis*, with respect to the goods covered thereby.

Debtor's
rights and
remedies

(4) Where the debtor is in default under a security agreement, he has, in addition to the rights and remedies provided in the security agreement and any other rights and remedies, the rights and remedies provided in this Part and in section 19.

(5) Except as provided in sections 60 and 61, the provisions of subsections 3, 4 and 5 of section 58 and of sections 59, 60, 61 and 62, to the extent that they give rights to the debtor and impose duties upon the secured party, shall not be waived or varied, but the parties may by agreement determine the standards by which the rights of the debtor and the duties of the secured party are to be measured, so long as such standards are not manifestly unreasonable having regard to the nature of such rights and duties.

Waiver and variation of rights and duties

(6) Where a security agreement covers both real and personal property, the secured party may proceed under this Part as to the personal property or he may proceed as to both the real and the personal property in accordance with his rights and remedies in respect of the real property, in which case this Part does not apply.

Where agreement covers both real and personal property

(7) A security interest does not merge merely because a secured party has reduced his claim to judgment.

No merger in judgment

56.—(1) Where so agreed and in any event upon default under a security agreement, a secured party is entitled,

Collection rights of secured party

(a) to notify any account debtor or any obligor on an instrument to make payment to him whether or not the assignor was theretofore making collections on the collateral; and

(b) to take control of any proceeds to which he is entitled under section 27.

(2) A secured party who by agreement is entitled to charge back uncollected collateral or otherwise to full or limited recourse against the debtor and who undertakes to collect from the account debtors or obligors on instruments shall proceed in a commercially reasonable manner and may deduct his reasonable expenses of realization from the collections.

Idem

57. Upon default under a security agreement,

Secured party's right to take possession upon default

(a) the secured party has, unless otherwise agreed, the right to take possession of the collateral by any method permitted by law;

(b)

- (b) if the collateral is equipment and the security interest has been perfected by registration, the secured party may, in a reasonable manner, render such equipment unusable without removal thereof from the debtor's premises, and the secured party shall thereupon be deemed to have taken possession of such equipment; and
- (c) the secured party may dispose of collateral under section 58 on the debtor's premises.

Secured party's right to dispose of collateral upon default

58.—(1) Upon default under a security agreement, the secured party may dispose of any of the collateral in its condition either before or after any commercially reasonable repair, processing or preparation for disposition, and the proceeds of the disposition shall be applied consecutively to,

- (a) the reasonable expenses of retaking, holding, repairing, processing, preparing for disposition and disposing of the collateral and, to the extent provided for in the security agreement and not prohibited by law, any other reasonable expenses incurred by the secured party;
- (b) the satisfaction of the obligation secured by the security interest of the party making the disposition; and
- (c) the satisfaction of the obligation secured by any subordinate security interest in the collateral if written demand therefor is received by the party making the disposition before the distribution of the proceeds is completed.

Request for proof of interest

(2) Where a written demand under clause *c* of subsection 1 is received by the secured party, he may request the holder of the subordinate security interest to furnish him with reasonable proof of such holder's interest, and, unless such holder furnishes such proof within a reasonable time, the secured party need not comply with such demand.

Methods of disposition

(3) Collateral may be disposed of in whole or in part, and any such disposition may be by public sale, private sale, lease or otherwise and, subject to subsection 5, may be made at any time and place and on any terms so long as every aspect of the disposition is commercially reasonable.

Secured party's right to delay disposition of collateral

(4) The secured party may, subject to subsection 1 of section 60, retain the collateral in whole or in part for such period of time as is commercially reasonable.

(5) Unless the collateral is perishable or unless the secured party believes on reasonable grounds that the collateral will decline speedily in value, the secured party shall give to the debtor and to any other person who has a security interest in the collateral and who has registered a security agreement, notice of intention or caution under this Act indexed in the name of the debtor or who is known by the secured party to have a security interest in the collateral not less than fifteen days notice in writing containing,

Secured party to give notice of disposition of collateral

- (a) a brief description of the collateral;
- (b) the amount required to satisfy the obligation secured by his security interest;
- (c) the amount of the applicable expenses referred to in clause *a* of subsection 1 or, in a case where the amount of such expenses has not been determined, his reasonable estimate thereof;
- (d) a statement that upon payment of the amounts due the debtor may redeem the collateral;
- (e) a statement that unless the amounts due are paid the collateral will be disposed of and the debtor may be liable for any deficiency; and
- (f) the date, time and place of any public sale or of the date after which any private disposition of the collateral is to be made.

(6) The notice required by subsection 5 shall be served personally upon or left at the residence or last known place of abode of the party to be served or may be sent by registered mail to his last known post office address.

Service of notice

(7) The secured party may purchase the collateral or any part thereof only at a public sale.

Secured party's right to purchase collateral

(8) Where collateral is disposed of in accordance with this section, the disposition discharges the security interest of the secured party making the disposition and, if such disposition is made to a *bona fide* purchaser for value, discharges also any subordinate security interest and terminates the debtor's interest in the collateral.

Effect of disposition of collateral

(9) Where collateral is disposed of by a secured party after default otherwise than in accordance with this section, then,

Idem

(a)

(a) in the case of a public sale, if the purchaser has no knowledge of any defect in the sale and if he does not purchase in collusion with the secured party, other bidders or the person conducting the sale; or

(b) in any other case, if the purchaser acts in good faith,

the disposition discharges the security interest of the secured party making the disposition and, where the disposition is made to a purchaser for value, discharges also any subordinate security interest and terminates the debtor's interest in the collateral.

Certain transfers of collateral

(10) A person who is liable to a secured party under a guarantee, endorsement, covenant, repurchase agreement or the like and who receives a transfer of collateral from the secured party or is subrogated to his rights has thereafter the rights and duties of the secured party, and such a transfer of collateral is not a disposition of the collateral.

Surplus

59. Where a security agreement secures an indebtedness and the secured party has dealt with the collateral under section 56 or has disposed of it in accordance with section 58 or otherwise, he shall account for any surplus to any person, other than the debtor, whom the secured party knows to be the owner of the collateral, and, in the absence of such knowledge, he shall account to the debtor for any surplus.

Compulsory disposition of collateral, consumer goods

60.—(1) Where the security agreement secures an indebtedness and the collateral is consumer goods and the debtor has paid at least 60 per cent of the indebtedness secured and has not signed, after default, a statement renouncing or modifying his rights under this Part, the secured party who has taken possession of the collateral shall, within ninety days after taking possession, dispose of or contract to dispose of the collateral under section 58, and, if he fails to do so, the debtor may proceed under section 62 or in an action for damages or loss sustained.

Retention of collateral

(2) In any case other than that mentioned in subsection 1, a secured party in possession of the collateral may, after default, propose to retain the collateral in satisfaction of the obligation secured, and notification of such proposal shall be given to the debtor and to any other person whom such secured party knows to be the owner of the collateral and, except in the case of consumer goods, to any other person who has a security interest in the collateral and who has registered a security agreement under this Act indexed in the name of the debtor or who is known by the secured party in possession to have a security interest in the collateral.

(3) If any person entitled to notification under subsection 2 ^{Idem} objects in writing within fifteen days after being notified, the secured party in possession shall dispose of the collateral under section 58, and, in the absence of any such objection, such secured party shall, at the expiration of such period of fifteen days, be deemed to have irrevocably elected to retain the collateral in satisfaction of the obligation secured, and thereafter is entitled to hold or dispose of the collateral free of all rights and interests therein of any person entitled to notification under subsection 2 who was given such notification.

61. At any time before the secured party has disposed of the collateral by sale or exchange or contracted for such disposition under section 58 or before the secured party shall be deemed to have irrevocably elected to retain the collateral in satisfaction of the obligation under subsection 2 of section 60, the debtor, or any person other than the debtor who is the owner of the collateral, or any secured party other than the secured party in possession, may, unless he has otherwise agreed in writing after default, redeem the collateral by tendering fulfilment of all obligations secured by the collateral together with a sum equal to the reasonable expenses of retaking, holding, repairing, processing, preparing the collateral for disposition and in arranging for its disposition, and, to the extent provided for in the security agreement, the reasonable solicitor's costs and legal expenses. ^{Redemption of collateral}

62.—(1) Where a secured party in possession of collateral is not complying with any of the obligations imposed by section 19 or, after default, is not proceeding in accordance with this Part or the account is disputed, the debtor or any person who is the owner of the collateral or the creditors of either of them or any person other than such secured party who has an interest in the collateral may apply to the Supreme Court or to a county or district court having jurisdiction with respect thereto, and the court may, upon hearing any such application, direct that the secured party comply with the obligations imposed by section 19, or that the collateral be or be not disposed of, or order an account to be taken or make such other or further order as the court deems just. ^{Remedies for failure of secured party to comply with this Part}

(2) If the disposition of the collateral has been made ^{Idem} otherwise than in accordance with this Part,

- (a) the debtor or any other person entitled to notice under subsection 5 of section 58 or whose security interest has been made known to the secured party prior to the disposition has a right to recover from the secured party any loss or damage caused by his failure to comply with this Part; and

(b)

- (b) where the collateral is consumer goods, the debtor has a right to recover in any event an amount not less than the credit service charge plus 10 per cent of the principal amount of the debt or the time price differential plus 10 per cent of the cash price.

Removal of
proceedings
into
Supreme
Court

(3) Where an application under subsection 1 is made to a county or district court, a respondent may, by notice served on the applicant and on the other respondents, if any, and filed with proof of service thereof with the clerk of the county or district court not later than the two days preceding the day of the return of the application, require the proceedings to be removed into the Supreme Court.

Transmission
of
proceedings

(4) Upon the filing of the notice and proof of service thereof, the clerk of the county or district court shall forthwith transmit the papers and proceedings to the proper office of the Supreme Court in the county or district in which the application is made.

Removal of
proceedings

(5) When the papers and proceedings are received at the proper office of the Supreme Court, the proceedings are *ipso facto* removed into the Supreme Court.

Reference
to master

(6) Where an application under subsection 1 is made to or is removed into the Supreme Court, the court may refer any question to a master or other officer for inquiry and report.

Appeal

(7) An appeal lies to the Court of Appeal from any order made under this section.

PART VI

MISCELLANEOUS

Extension
of time

63.—(1) Where in this Act any time is prescribed within which or before which any act or thing must be done, a judge on application may, upon such terms and conditions and with such notice, if any, as he may order, extend such time for compliance upon being satisfied that no interest of any other person will be prejudiced by such extension, but, in the event that it later appears that any such act or thing done within the period so extended has prejudiced the rights that any person acquired before the doing of such act or thing, such act or thing shall be presumed not to have been done in conformity with this Act for the purpose of obtaining the right that such person acquired before the doing of such act or thing.

(2) A copy of an order made under subsection 1 shall for ^{Idem} purposes of registration be attached to the document to which the order relates.

64. This Act applies only where the security interest ^{Application of Act in respect of attachment} attaches on or after the day on which this section came into force, and, where the security interest attached before this Act came into force, the security interest continues to have such force and effect as if this Act had not been passed.

65. Every security interest that was covered by an un- ^{Transitional provision} expired filing or registration under *The Assignment of Book Debts Act*, *The Bills of Sale and Chattel Mortgages Act* and *The Conditional Sales Act* when this section came into force shall be deemed to have been registered and perfected under this Act and, subject to this Act, such registration continues the effect of the prior filing or registration for the unexpired portion of the filing or registration period. ^{R.S.O. 1960, cc. 24, 34, 61}

66. Unless otherwise provided by this Act or the regu- ^{Rules of practice} lations, the Rules of Practice and Procedure of the Supreme Court apply to proceedings under this Act.

67. Where books, documents, records, cards or papers have ^{Destruction of documents} been preserved for the purposes of this Act for so long that it appears they need not be preserved any longer, the Inspector of Legal Offices may authorize their destruction.

68. Where there is conflict between a provision of this Act ^{Conflict} and a provision of *The Consumer Protection Act, 1966*, the ^{1966, c. 23} provision of *The Consumer Protection Act, 1966* prevails and, where there is conflict between a provision of this Act and a provision of any general or special Act, other than *The Consumer Protection Act, 1966*, the provision of this Act prevails.

69. The provisions of any general or special Act that relate ^{References} to a security interest and that refer to *The Assignment of Book Debts Act*, *The Bills of Sale and Chattel Mortgages Act* or *The Conditional Sales Act* or any provision thereof shall be deemed to refer to this Act or to the corresponding provision of this Act, as the case may be, and not to *The Assignment of Book Debts Act*, *The Bills of Sale and Chattel Mortgages Act* or *The Conditional Sales Act*, as the case may be.

70. The Lieutenant Governor in Council may make regu- ^{Regulations} lations,

(a) designating branch offices;

(b)

- (b) approving the form of the seal of the registrar and each branch registrar;
- (c) prescribing the duties of the registrar and branch registrars;
- (d) prescribing business hours for the offices of the registration system or any of them;
- (e) respecting the registration system;
- (f) requiring the payment of fees and prescribing the amounts thereof;
- (g) prescribing the portion of the fees received under this Act that shall be paid into The Personal Property Security Assurance Fund;
- (h) governing practice and procedure applicable to proceedings under this Act;
- (i) prescribing forms and providing for their use;
- (j) prescribing the particulars referred to in section 46;
- (k) respecting any matter necessary or advisable to carry out effectively the intent and purpose of this Act.

Expenses
of adminis-
tration

71. The moneys required for the purposes of this Act shall be paid out of the Consolidated Revenue Fund until the 31st day of March, 1968, and thereafter out of such moneys as are appropriated therefor by the Legislature.

Commence-
ment

72.—(1) This Act, except sections 1 to 40, 44 and 46 to 69, comes into force on the day it receives Royal Assent.

Idem

(2) Sections 1 to 40, 44 and 46 to 69 come into force on a day to be named by the Lieutenant Governor by his proclamation.

Short title

73. This Act may be cited as *The Personal Property Security Act, 1967*.

CHAPTER 74

The Pesticides Act, 1967

*Assented to June 15th, 1967
Session Prorogued June 15th, 1967*

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. In this Act,**Interpre-
tation**

- (a) "Board" means the Pesticides Advisory Board;
- (b) "Department" means the Department of Health;
- (c) "extermination" means a land extermination or a structural extermination;
- (d) "extermination service" means a service or business carried on for the purpose of performing exterminations;
- (e) "exterminator" means a person who, by himself or by his employees, assistants or agents, performs or enters into a contract to perform an extermination;
- (f) "inspector" means a person designated under section 8 or a member of a class of persons designated by the regulations;
- (g) "land extermination" means the destruction or control on or over land of insects, vermin, birds, rodents or other pests, fungi or vegetation by the use of any toxic or noxious substance;
- (h) "licence" means a licence issued under the regulations;
- (i) "Minister" means the Minister of Health;
- (j) "operator" means a person that has the control and management of an extermination service, and "operate" has a corresponding meaning;

(k)

(k) "regulations" means the regulations made under this Act;

(l) "structural extermination" means the destruction or control in, on or adjacent to a building or vehicle, of insects, vermin, birds, rodents or other pests or fungi, by the use of any toxic or noxious substance. R.S.O. 1960, c. 293, s. 1; 1962-63, c. 104, s. 1; 1966, c. 114, s. 1, *amended*.

Prohibition
as to
extermina-
tions

2.—(1) No person shall engage in, perform or offer to perform an extermination unless he is licensed as an exterminator or is exempt under the regulations. R.S.O. 1960, c. 293, s. 2 (1), *amended*.

Idem,
carrying on
business as
extermina-
tor

(2) No person shall operate an extermination service unless he is licensed as an operator under this Act or is exempt under the regulations. *New*.

Idem,
employees
of
operators

(3) No person shall serve as an employee of an operator for a period longer than six months unless he is licensed as an assistant exterminator or is exempt under the regulations. R.S.O. 1960, c. 293, s. 2 (2), *amended*.

Idem,
employees
of
operators
doing land
extermina-
tions

(4) No person shall serve as an employee of an operator performing land exterminations for a period longer than seven days unless the operator notifies the Department in writing or the person is exempt under the regulations. *New*.

Respon-
sibility of
operators

3. Every operator is, with respect to an extermination, responsible for the acts or omissions of his employees, assistants and agents during the periods of extermination and airing out. R.S.O. 1960, c. 293, s. 3, *amended*.

Liability
insurance

4. An operator shall insure against liability or furnish a bond as provided for by the regulations. R.S.O. 1960, c. 293, s. 4, *amended*.

Advisory
Board

5.—(1) The Lieutenant Governor in Council may appoint a board consisting of nine members to be known as the Pesticides Advisory Board.

Quorum

(2) Five members of the Board constitute a quorum.

Chairman,
secretary

(3) The Lieutenant Governor in Council may designate one member of the Board as chairman and one member as secretary.

Functions

(4) The Board shall,

(a) examine applicants for licences and recommend the issue or refusal thereof;

(b)

- (b) recommend after a hearing and submission of written reasons the cancellation, suspension or reinstatement of licences; and
- (c) perform such other functions as the regulations prescribe. *New.*

6.—(1) The Minister may suspend or cancel the licence of an operator or exterminator who contravenes this Act or the regulations, or has been found guilty of incompetence, gross negligence, fraud or misrepresentation in performing an extermination or in carrying on the business of extermination. ^{Suspension and cancellation of licences}

(2) Before a licence is suspended or cancelled, the Minister shall serve notice upon the licensee of the ground upon which it is proposed to suspend or cancel the licence, and shall send a copy of such notice to the chairman of the Board. ^{Notice}

(3) The Board shall provide the parties with an opportunity of appearing before it at a hearing and presenting evidence in person or by counsel and making representations. ^{Hearing}

(4) Where the Board finds that there is ground for suspending or cancelling the licence, as the case may be, the Minister shall by order suspend or cancel the licence. ^{Order}

(5) A copy of any order made under this section shall be served upon the person affected. *New.* ^{Copy of order}

7.—(1) Any person affected by an order made under section 6 may appeal therefrom to a judge of the county or district court of the county or district in which he resides. ^{Appeal}

(2) Notice of appeal shall be given in writing within two weeks after service of the copy of the order on the person affected by filing a copy of the notice of appeal with the clerk of the court and serving a copy thereof on the Minister. ^{Notice of appeal}

(3) The appellant shall apply to the judge to fix a date for the hearing of the appeal, and shall forthwith serve on the Minister notice of the date so fixed. ^{Date of hearing of appeal}

(4) The hearing of the appeal shall be a trial *de novo*, and the judge may hear all such evidence as he deems to be relevant and may affirm the order of the Minister, or amend it and affirm it as amended, or set it aside. *New.* ^{Hearing and disposal of appeal}

8. The Minister may designate one or more persons as inspectors for the purposes of this Act and the regulations. 1966, c. 114, s. 3. ^{Inspectors}

Powers

9. Any inspector for the purposes of this Act and the regulations may enter and inspect any premises or vehicle and take samples of,

- (a) substances used for extermination;
- (b) soil or water; or
- (c) food for man or animal. 1966, c. 114, s. 3, *amended*.

Order for
termination
of exter-
mination

10. Where an inspector is of the opinion that an extermination is or may be dangerous to health, he may order that the extermination be terminated. 1966, c. 114, s. 3, *amended*.

Obstruction
of inspector

11. No person shall obstruct, hinder, delay or prevent an inspector in the exercise of his powers or in the performance of his duties. 1966, c. 114, s. 4, *amended*.

Appeal from
order of
inspector

12.—(1) A person who is affected by an order made under section 10 may appeal therefrom to an officer of the Department designated by the Minister.

Nature of
appeal

(2) The appeal may be made in person or by telephone or otherwise.

Disposition
of appeal

(3) The designated officer may vary, rescind or confirm the order of the inspector. *New*.

Regulations

13. The Minister, with the approval of the Lieutenant Governor in Council, may make regulations,

- (a) prescribing the qualifications of exterminators and assistant exterminators and providing for the examination of applicants for licences as exterminators and assistant exterminators, and prescribing fees for such examination;
- (b) prescribing the qualifications and conditions for an operator's licence;
- (c) providing for different classes of exterminators, assistant exterminators and operators, the issue and renewal of licences to exterminators, assistant exterminators and operators in each class, the fees therefor, and the terms upon which licences may be issued, renewed, suspended or cancelled;
- (d) requiring applicants for licences as exterminators or assistant exterminators to undergo a medical examination;

(e)

- (e) prescribing the procedures, conditions and notices for exterminations and for the airing-out of buildings and vehicles;
- (f) fixing the amount and type of insurance or bond that shall be carried or furnished by operators, and prescribing the form, requirements and terms thereof;
- (g) providing for the issue of permits for exterminations and the terms upon which permits may be issued, refused or cancelled;
- (h) prescribing that a type or class of structural extermination may be deemed a land extermination and prescribing that a type or class of land extermination may be deemed a structural extermination for the purpose of this Act and the regulations;
- (i) permitting or prohibiting any class of operator or exterminator from performing or undertaking to perform any extermination for which the members of the class are not licensed and prescribing the conditions thereof;
- (j) exempting any person or class of persons from this Act and the regulations or any provision thereof;
- (k) exempting any substance, machine, apparatus, equipment or class thereof from this Act and the regulations, or any provision thereof;
- (l) exempting any type or class of building, vehicle or land from this Act and the regulations or any provision thereof;
- (m) regulating or prohibiting the installation, operation, maintenance and use of any machine, apparatus or equipment used for extermination;
- (n) governing the signs, marking or other identification of vehicles or machines used in land exterminations;
- (o) regulating the construction of any enclosed space or vault in which movable property may be placed during the periods of extermination and airing-out;
- (p) prescribing functions, practices and procedures, tenure of office and remuneration of the Board;
- (q) designating classes of persons as inspectors;

(r)

- (r) governing, regulating or prohibiting the use, handling or storage of substances used for extermination;
- (s) classifying and designating substances used for extermination, and prohibiting any class of exterminators from using such substances or any of them;
- (t) requiring and providing for the registration of persons who sell or offer for sale or distribute any designated substance used for extermination;
- (u) requiring persons who handle or use any designated substance used for extermination to undergo medical examination and supervision, and providing for such medical examination and supervision;
- (v) regulating the type of containers for substances used for extermination, other than the containers in which such substances are sold or offered for sale, and the labelling thereof;
- (w) regulating the disposal of containers of any substance used for extermination;
- (x) prescribing the records to be kept and returns to be made by persons licensed or registered under the regulations;
- (y) respecting any matter necessary or advisable to carry out effectively the intent and purpose of this Act. R.S.O. 1960, c. 293, s. 10; 1962-63, c. 104, s. 2; 1966, c. 114, s. 4, *amended*.

Offence

14. Every person who contravenes any provision of this Act or the regulations is guilty of an offence and on summary conviction is liable to a fine of not less than \$25 and not more than \$1,000 or to imprisonment for a term of not more than three months, or to both. R.S.O. 1960, c. 293, s. 11(1), *amended*.

R.S.O. 1960,
c. 293;
1962-63,
c. 104;
1966, c. 114,
repealed

15. *The Pesticides Act, The Pesticides Amendment Act, 1962-63 and The Pesticides Amendment Act, 1966* are repealed.

Commence- ment

16. This Act comes into force on the 1st day of September, 1967.

Short title

17. This Act may be cited as *The Pesticides Act, 1967*.

CHAPTER 75

An Act to amend The Planning Act

Assented to June 15th, 1967
Session Prorogued June 15th, 1967

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Subsection 1 of section 12a of *The Planning Act*, as enacted by section 1 of *The Planning Amendment Act, 1965*, is repealed and the following substituted therefor:

R.S.O. 1960,
c. 296, s. 12a
(1965,
c. 98, s. 1),
subs. 1,
re-enacted

- (1) The Minister may refer any part of the plan to the Municipal Board and, where any person requests the Minister to refer any part of the plan to the Municipal Board, the Minister shall refer such part to the Municipal Board, unless, in his opinion, such request is not made in good faith or is frivolous or is made only for the purpose of delay, and, when the Minister has referred any part of the plan to the Municipal Board, the approval of the Municipal Board has the same force and effect as if it were the approval of the Minister.

Reference
of part of
plan to
O.M.B.

2. *The Planning Act* is amended by adding thereto the following section:

R.S.O. 1960,
c. 296,
amended

- 14a. For the purposes of sections 10, 11, 12, 13 and 14, when a planning area is defined and named under subsection 3 of section 2, the Minister shall be deemed to have all the powers and duties of a council and of any officer of a council.

Powers of
Minister
re planning
area in
unorganized
territory

3. Section 29 of *The Planning Act* is amended by adding thereto the following subsection:

R.S.O. 1960,
c. 296, s. 29,
amended

- (2) In subsection 1, "unregistered plan of subdivision" does not include a reference plan of survey under section 157 of *The Land Titles Act* that complies with the regulations under that Act or a plan deposited under Part II of *The Registry Act* in accordance with the regulations under that Act.

Interpreta-
tion

R.S.O. 1960,
cc. 204, 348

R.S.O. 1960,
c. 296, s. 30,
subs. 9,
amended

4.—(1) Subsection 9 of section 30 of *The Planning Act* is amended by adding at the commencement thereof "Subject to subsection 22", so that the subsection shall read as follows:

Approval by
O.M.B.

(9) Subject to subsection 22, no part of any by-law passed under this section comes into force without the approval of the Municipal Board, and such approval may be for a limited period of time only, and the Board may extend such period from time to time upon application made to it for such purpose.

R.S.O. 1960,
c. 296, s. 30,
subs. 10,
amended

(2) Subsection 10 of the said section 30, as amended by subsection 2 of section 6 of *The Planning Amendment Act, 1961-62*, is further amended by adding at the commencement thereof "Subject to subsection 22", so that the subsection shall read as follows:

Repeal or
amendment

(10) Subject to subsection 22, no part of any by-law that repeals or amends a by-law passed under this section or a predecessor of this section and approved by the Municipal Board, except a by-law passed pursuant to an order of the Municipal Board made under subsection 19, comes into force without the approval of the Municipal Board.

R.S.O. 1960,
c. 296, s. 30,
amended

(3) The said section 30 is amended by adding thereto the following subsections:

Notice of
by-law

(21) The Lieutenant Governor in Council may make regulations prescribing the manner of giving notice, the form of the notice, the persons to whom notice shall be given and the time within which objections may be filed with the clerk of the municipality when the council proceeds under subsection 22.

By-law
effective
where no
notice of
objection
filed

(22) Where an official plan is in effect in a municipality and notice is given in the manner and form and to the persons prescribed by the regulations and no notice of objection has been filed with the clerk of the municipality within the time prescribed by the regulations, the by-law thereupon comes into effect.

Where
notice of
objection
filed

(23) Where an official plan is in effect in a municipality and notice is given in the manner and form and to the persons prescribed by the regulations and a notice of objection has been filed with the clerk of the municipality within the time prescribed by the regulations, the by-law does not come into effect until approved by the Municipal Board.

- (24) A certificate of the clerk of the municipality that the notice has been sent in the manner and form and to the persons prescribed by the regulations and that no notice of objection has been filed with him within the time prescribed by the regulations shall be *prima facie* evidence of the facts stated therein. Certificate of clerk re notices
- (25) Any by-law approved by the Municipal Board under this section shall be conclusively deemed to be in conformity with the official plan then in effect in the municipality. Approved by-law deemed to conform to plan
- (26) The council of a municipality may, subject to subsections 27 and 28, pass by-laws to permit the use of vacant land for the parking thereon of vehicles where such use is otherwise prohibited by any other by-law passed under this section. Use of vacant land for parking
- (27) A by-law passed under subsection 26 shall define the area to which it applies and shall prescribe the period for which it shall be in effect, which shall not exceed two years from the date of the passing of the by-law or the period during which the owner of the lands at the time of the passing of the by-law continues to be the owner thereof, whichever is the lesser, and may contain such other provisions as the council deems advisable. Effective period of by-law
- (28) When a by-law passed under subsection 26 ceases to have effect, clause *a* of subsection 7 does not apply in respect of the use of land permitted by such by-law. Use of vacant land for parking not non-conforming use
- (29) Any parking facilities provided pursuant to a by-law passed under subsection 26 shall be deemed not to be parking facilities required to be provided and maintained by virtue of any other by-law passed under this section. Parking facilities

5.—(1) Subsection 1 of section 30*a* of *The Planning Act*, as enacted by section 4 of *The Planning Amendment Act, 1964*, is amended by adding thereto the following clause: R.S.O. 1960, c. 296, s. 30*a* (1964, c. 90, s. 4), subs. 1, amended

- (*aa*) “repair” includes the provision of such facilities and the making of such additions or alterations as may be required so that the residential property shall conform to the standards prescribed in the by-law, and “repairs” and “repaired” have a corresponding meaning.

(2) The said section 30*a* is amended by adding thereto the following subsection: R.S.O. 1960, c. 296, s. 30*a* (1964, c. 90, s. 4), amended

Registration
of notice

- (3a) A notice under subsection 3 may be registered in the proper registry or land titles office, and, upon registration of such notice, any person acquiring any interest in the land subsequent to the registration of the notice shall be deemed to have been given notice under subsection 3 on the date on which notice was given to the registered owner and, when the requirements of the notice have been satisfied, the clerk of the municipality shall forthwith register in the proper registry or land titles office a certificate that such requirements have been satisfied, which shall operate as a discharge of such notice.

R.S.O. 1960,
c. 296,
amended

6. *The Planning Act* is amended by adding thereto the following section:

Loans for
repairs

- 30b.—(1) When a by-law under section 30a is in force in a municipality, the council of the municipality may pass a by-law for providing for the making of loans to the registered owners or assessed owners of lands in respect of which a notice has been sent under subsection 3 of section 30a to pay for the whole or any part of the cost of the repairs required to be done, or of the clearing, grading and levelling of the lands, on such terms and conditions as the council may prescribe.

Loans,
collected
as taxes,
lien on land

- (2) The amount of any loan made under a by-law passed under this section, together with interest at a rate to be determined by the council, may be added by the clerk of the municipality to the collector's roll and collected in like manner as municipal taxes over a period fixed by the council, not exceeding five years, and such amount and interest shall, until payment thereof, be a lien or charge upon the land in respect of which the loan has been made.

Registration
of certificate

- (3) A certificate signed by the clerk of the municipality setting out the amount loaned to any owner under a by-law passed under this section, including the rate of interest thereon, together with a description of the land in respect of which the loan has been made, sufficient for registration, shall be registered in the proper registry or land titles office against the land, and, upon repayment in full to the municipality of the amount loaned and interest thereon, a certificate signed by the clerk of the municipality showing

such

such repayment shall be similarly registered, and thereupon the lien or charge upon the land in respect of which the loan was made is discharged.

7. *The Planning Act* is amended by adding thereto the following section: R.S.O. 1960,
c. 296,
amended

31a. The council of a county may enter into an agreement with one or more local municipalities for the appointment by the county of a building inspector for the administration of by-laws passed under section 31 by such local municipalities and for charging such municipalities the whole or part of the cost of such building inspector. Building
inspector

8.—(1) Subsection 9a of section 32b of *The Planning Act*, as re-enacted by subsection 2 of section 5 of *The Planning Amendment Act, 1966*, is amended by striking out "may" in the seventh line and inserting in lieu thereof "shall", so that the subsection shall read as follows: R.S.O. 1960,
c. 296, s. 32b,
subs. 9a
(1966,
c. 116, s. 5,
subs. 2),
amended

(9a) The committee, in determining whether a consent is to be given under subsection 2a, shall have regard to the matters that are to be had regard to under subsection 4 of section 28 and has the same powers with respect to a consent as the Minister has to an approval of a plan of subdivision under subsections 5 and 8 of section 28, and shall require that any or all conditions imposed be fulfilled prior to the granting of a consent, and, in exercising its powers under subsections 5 and 8 of section 28, the reference to the Minister in such subsections 5 and 8 shall be deemed to be a reference to the committee. Matters
to be
regarded by
committee
in determin-
ing consent

(2) The said section 32b, as enacted by section 8 of *The Planning Amendment Act, 1961-62* and amended by section 12 of *The Planning Amendment Act, 1962-63*, section 6 of *The Planning Amendment Act, 1964* and section 5 of *The Planning Amendment Act, 1966*, is further amended by adding thereto the following subsection: R.S.O. 1960,
c. 296, s. 32b
(1961-62,
c. 104, s. 8),
amended

(19) When a consent has been granted on an application under subsection 2a, the secretary-treasurer shall, after the decision of the committee is final and binding under subsection 13, give a certificate to the applicant stating that such consent has been given, and the certificate is conclusive evidence that such consent was given and that the provisions of this Act leading to such consent have been complied with. Certificate
that consent
given

R.S.O. 1960,
c. 296, s. 34,
subs. 1,
re-enacted

9.—(1) Subsection 1 of section 34 of *The Planning Act* is repealed and the following substituted therefor:

Reference to
O.M.B.

- (1) When under this Act the approval or consent of the Minister is applied for, the Minister may, and upon application therefor shall, refer the matter to the Municipal Board unless, in his opinion, such request is not made in good faith or is frivolous or is made only for the purpose of delay and, when the Minister has referred the matter to the Municipal Board, the approval or consent, as the case may be, of the Municipal Board has the same force and effect as if it were the approval or consent of the Minister.

R.S.O. 1960,
c. 296, s. 34,
amended

- (2) The said section 34 is amended by adding thereto the following subsection:

Application
where draft
plan
approved

- (3) Where a draft plan of subdivision has been approved under subsection 11 of section 28, subsection 1 does not apply to the approval of the plan of subdivision under subsection 13 of section 28.

Effect of
1960-61
amendments
to s. 26 on
existing
by-laws
passed
before
March 29,
1961

10.—(1) By-laws now in effect passed under section 26 of *The Planning Act* or a predecessor of section 26 before the 29th day of March, 1961, remain in force until repealed, and the provisions of section 26, as re-enacted by subsection 1 of section 1 of *The Planning Amendment Act, 1960-61*, and any amendments thereto apply to such by-laws.

1960-61,
c. 76, s. 1,
subs. 3,
repealed

- (2) Subsection 3 of section 1 of *The Planning Amendment Act, 1960-61* is repealed.

Effect of
contra-
ventions
of s. 26,
etc., on
conveyances
heretofore
made

- (3) The contravention, before this section comes into force, of section 26 of *The Planning Act* or a predecessor thereof or of a by-law passed under section 26 or a predecessor of section 26 or of an order made under clause *b* of subsection 1 of section 27 of *The Planning Act* or a predecessor thereof does not have and shall be deemed never to have had the effect of preventing the conveyance or creation of any interest in land, provided that this section does not affect the rights acquired by any person from a judgment or order of any court given or made in any litigation or proceedings commenced on or before the day this section comes into force.

Commence-
ment

11. This Act comes into force on the day it receives Royal Assent.

Short title

12. This Act may be cited as *The Planning Amendment Act, 1967*.

CHAPTER 76

An Act to amend The Police Act

Assented to June 15th, 1967
Session Prorogued June 15th, 1967

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Subsection 1a of section 2 of *The Police Act*, as enacted by section 1 of *The Police Amendment Act, 1965*, is repealed and the following substituted therefor:

R.S.O. 1960,
c. 298, s. 2,
subs. 1a
(1965,
c. 99, s. 1),
re-enacted

(1a) The Lieutenant Governor in Council may exempt any town having a population of less than 5,000 according to the last municipal census from the application of subsection 1, and such exemption continues in effect until it is revoked.

Exemption
of towns
of less
than 5,000

2. Section 3 of *The Police Act* is amended by adding thereto the following subsection:

R.S.O. 1960,
c. 298, s. 3,
amended

(1a) For the purpose of subsection 1, municipal law enforcement officers shall not be deemed to be a municipal police force.

Idem

3.—(1) Subsection 1 of section 5 of *The Police Act*, as re-enacted by subsection 1 of section 5 of *The Police Amendment Act, 1964*, is amended by inserting after “municipality” in the sixth line “and, where there is a board, the board” and by inserting after “municipality” in the tenth line “and, where there is a board, the board”, so that the subsection shall read as follows:

R.S.O. 1960,
c. 298, s. 5,
subs. 1
(1964,
c. 92, s. 5,
subs. 1),
amended

(1) Where the Commission finds that a municipality mentioned in section 2, or any other municipality that maintains its own police force, is not providing or maintaining an adequate police force or not complying with this Act or the regulations, it may communicate with the clerk of the municipality, and, where there is a board, the board, indicating that the police force is not adequate or that the provisions

Failure
to provide
adequate
policing or
to comply
with Act or
regulations

of this Act or the regulations are not being complied with and requesting the council of the municipality, and, where there is a board, the board, to take such steps as the Commission deems necessary.

R.S.O. 1960,
c. 298, s. 5,
(1961-62,
c. 105, s. 2),
subs. 2,
amended

(2) Subsection 2 of the said section 5, as re-enacted by section 2 of *The Police Amendment Act, 1961-62* and amended by subsection 2 of section 5 of *The Police Amendment Act, 1964*, is further amended by inserting after "council" in the first line "or the board", so that the subsection shall read as follows:

Action by
Commissioner

(2) Where the council, or the board, neglects to comply with a request made under subsection 1, the Commission may request the Commissioner to secure the proper policing of the municipality by the Ontario Provincial Police Force, and the cost thereof shall be charged to the municipality and may be deducted from any grant payable out of provincial funds to the municipality or may be recovered with costs by action in any court of competent jurisdiction as a debt due to Her Majesty.

R.S.O. 1960,
c. 298, s. 7,
subs. 1
(1965,
c. 99, s. 2),
amended

4.—(1) Subsection 1 of section 7 of *The Police Act*, as re-enacted by section 2 of *The Police Amendment Act, 1965*, is amended by striking out "local" in the first line and by striking out "revised assessment roll" in the fourth line and inserting in lieu thereof "municipal census", so that the first five lines of the subsection shall read as follows:

Creation
of board

(1) Notwithstanding any special Act, every municipality that provides and maintains a police force and that has a population of more than 15,000 according to the last municipal census shall have a board, and,

.

R.S.O. 1960,
c. 298, s. 7,
amended

(2) The said section 7 is amended by adding thereto the following subsection:

Powers to
contract
and sue

(5) A board may contract and may sue and be sued in its own name, and the members thereof are not personally liable upon any contract made by the board.

R.S.O. 1960,
c. 298, s. 18,
(1965,
c. 99, s. 5),
amended

5.—(1) Section 18 of *The Police Act*, as re-enacted by section 5 of *The Police Amendment Act, 1965*, is amended by inserting after "establish" in the third line "or maintain", so that the section shall read as follows:

18. Any county, township or village not required to establish a police force under section 2 may, with the approval of the Commission, establish or maintain a police force.

Municipalities that may have own police forces

(2) The said section 18 is further amended by adding thereto the following subsections:

R.S.O. 1960, c. 298, s. 18 (1965, c. 99, s. 5), amended

- (2) The approval of the Commission to maintain a police force established before the 22nd day of June, 1965, and maintained when this section comes into force shall be deemed to have been given.

Approvals of existing forces

- (3) The Commission may revoke an approval given under subsection 1 or 2 at any time.

Revocation of approvals

6. Section 21 of *The Police Act* is repealed and the following substituted therefor:

R.S.O. 1960, c. 298, s. 21, re-enacted

- 21.—(1) Subject to the approval of the Commission, the cost incurred by a municipality in maintaining its own police force or by reason of an agreement under section 52 or 53 may, if the council deems it proper, be paid by levying rates that are different between areas defined by the council or by levying rates in one or more such areas only.

Rates for cost of policing

- (2) Subject to the approval of the Commission, the council may grant entire or partial exemption from any rate or rates levied under subsection 1 to lands and buildings used exclusively for farming purposes.

Farm lands and buildings

7. Clause *a* of subsection 4 of section 23 of *The Police Act*, as re-enacted by subsection 1 of section 6 of *The Police Amendment Act, 1965* and amended by subsection 4 of section 5 of *The Police Amendment Act, 1966*, is further amended by striking out "or head of council" in the amendment of 1966, so that the clause shall read as follows:

R.S.O. 1960, c. 298, s. 23 (1965, c. 99, s. 6, subs. 1), subs. 4, cl. *a*, amended

- (a) any damages or costs awarded against the chief of police in any proceeding brought against him by virtue of this section and any costs incurred by him in any such proceeding so far as not recovered by him in the proceedings; and

8. Subsection 1 of section 28 of *The Police Act* is amended by striking out "ten" in the second line and inserting in lieu thereof "twenty", so that the subsection shall read as follows:

R.S.O. 1960, c. 298, s. 28, subs. 1, amended

Board of
arbitration

- (1) Except in the case of a police force having fewer than twenty members, where after bargaining under section 27 the council of the municipality or, where there is a board, the board, or the members of the police force, or, where there is a bargaining committee, the bargaining committee is or are satisfied that an agreement cannot be reached, it or they, as the case may be, may by notice in writing to the other party require all matters in dispute to be referred to a board of arbitration of three members, in which case the parties shall each appoint a member and the third member, who shall be the chairman, shall be appointed by the two members so appointed.

R.S.O. 1960,
c. 298, s. 29,
subs. 1
amended

- 9.** Subsection 1 of section 29 of *The Police Act* is amended by striking out "ten" in the second line and inserting in lieu thereof "twenty", so that the subsection shall read as follows:

Arbitrator

- (1) In the case of a police force having fewer than twenty members, where after bargaining under section 27 the council of the municipality or, where there is a board, the board, or the bargaining committee is or are satisfied that an agreement cannot be reached, it or they, as the case may be, may by notice in writing to the other party require all matters in dispute to be referred to a single arbitrator who shall be appointed by the parties.

R.S.O. 1960,
c. 298, s. 44,
repealed

- 10.** Section 44 of *The Police Act* is repealed.

R.S.O. 1960,
c. 298, s. 45,
subs. 2,
amended

- 11.** Subsection 2 of section 45 of *The Police Act* is amended by striking out "shall be paid out of the Law Enforcement Fund and" in the first and second lines, so that the subsection shall read as follows:

Allowances

- (2) The money allowance shall be deemed to be part of the salary of the member.

R.S.O. 1960,
c. 298, s. 45c
(1965,
c. 99, s. 9),
subs. 1,
amended

- 12.** Subsection 1 of section 45c of *The Police Act*, as re-enacted by section 9 of *The Police Amendment Act, 1965* and amended by subsection 1 of section 13 of *The Police Amendment Act, 1966*, is further amended by striking out "but not exceeding the number of other members of the force" in the third and fourth lines, so that the subsection shall read as follows:

Appoint-
ment of
auxiliary
police

- (1) An authority empowered to appoint members of a police force may appoint auxiliary members in a number approved by the Commission, and may suspend or terminate any such appointment.

13. Section 59 of *The Police Act* is repealed and the following substituted therefor: R.S.O. 1960,
c. 298, s. 59,
re-enacted

59. The council of any municipality or the trustees of any police village may appoint one or more municipal law enforcement officers who shall be peace officers for the purpose of enforcing the by-laws of the municipality or police village. Municipal
law en-
forcement
officer

14. This Act comes into force on the day it receives Royal Assent. Commence-
ment

15. This Act may be cited as *The Police Amendment Act*, Short title
1967.

CHAPTER 77

An Act to amend The Private Hospitals Act

*Assented to March 22nd, 1967**Session Prorogued June 15th, 1967*

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Section 1 of *The Private Hospitals Act* is amended by adding thereto the following clauses: R.S.O. 1960,
c. 305, s. 1,
amended

(ea) "municipality" means a metropolitan municipality, city, separated town, or county, except that in a territorial district it means a city, town, village, township or improvement district;

.

(ha) "resident" means actually resident in a municipality for a period of three months within the six months next prior to admission to a private hospital;

.

(ia) "territorial district" means any of the territorial districts set forth in *The Territorial Division Act*; R.S.O. 1960,
c. 395

(ib) "territory without municipal organization" means those parts of Ontario that are without municipal organization, including Indian reservations and provincial parks, but not including property of the Government of Canada used for the purposes of national defence installations, camps or stations.

2. Section 22 of *The Private Hospitals Act* is amended by inserting after "persons" in the fifth line "who are resident", R.S.O. 1960,
c. 305, s. 22,
amended so that the section shall read as follows:

22. Any municipality, with the approval of the Commission, may enter into an annual agreement with the licensee of a private hospital respecting the admission to and treatment in the private hospital of indigent

persons

persons and dependants of indigent persons who are resident in such municipality, and in such case the liability of the municipality to the private hospital shall be determined according to such agreement, and the Commission may terminate any such agreement at any time by thirty days notice in writing to the parties thereto.

R.S.O. 1960,
c. 305,
amended

3. *The Private Hospitals Act* is amended by re-numbering section 22a, as enacted by section 7 of *The Private Hospitals Amendment Act, 1962-63*, as section 22b and by adding thereto the following section:

Municipal
right of
recourse
against
patient

22a.—(1) Upon the payment by a municipality of any account rendered to it by a private hospital for the treatment of a patient under the terms of an agreement entered into under section 22, such municipality may recover from the patient or, in the event of his death, from his estate or, in the case of a dependant, from any person liable in law for such dependant the amount of the payment so made, and such amount may be recovered as a debt in any court of competent jurisdiction.

Idem

(2) The right of a municipality under subsection 1 to recover any payment made by it to a private hospital commences the day after the patient is discharged from the hospital or dies in the hospital and does not include the right while the patient is in hospital to take any part of the pension received by the patient under the *Old Age Security Act* (Canada) or received under that Act by the person whose dependant the patient is.

R.S.C. 1952,
c. 200

Limitation

(3) The right of a municipality under subsection 1 to recover any payment made by it to a private hospital ceases one year after the discharge of the patient from the hospital or his death in the hospital.

Commence-
ment

4. This Act comes into force on the day it receives Royal Assent.

Short title

5. This Act may be cited as *The Private Hospitals Amendment Act, 1967*.

CHAPTER 78

An Act to repeal The Psychiatric Hospitals Act

*Assented to June 15th, 1967
Session Prorogued June 15th, 1967*

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. *The Psychiatric Hospitals Act, The Psychiatric Hospitals Amendment Act, 1962-63 and The Psychiatric Hospitals Amendment Act, 1966* are repealed. R.S.O. 1960, c. 315;
1962-63, c. 111;
1966, c. 123,
repealed

2. This Act comes into force on a day to be named by the Lieutenant Governor by his proclamation. Commence-
ment

3. This Act may be cited as *The Psychiatric Hospitals Repeal Act, 1967*. Short title

CHAPTER 79

An Act to amend The Public Health Act

Assented to June 15th, 1967
Session Prorogued June 15th, 1967

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Section 1 of *The Public Health Act*, as amended by section 1 of *The Public Health Amendment Act, 1960-61*, is further amended by adding thereto the following clause:

(ea) "full-time public health services" means the public health services provided by medical officers of health, public health nurses or public health inspectors who are employed full-time by the Department, a municipality or the board of health of a health unit, and includes such other full-time public health services as the regulations prescribe.

2.—(1) Section 6 of *The Public Health Act* is amended by adding thereto the following paragraphs:

21a. prescribing the amounts, terms and conditions applicable to the payment of grants under section 21a or 21b and designating non-profit organizations or institutions for the purpose of section 21b;

21b. prescribing services in addition to those mentioned in clause *ea* of section 1.

(2) Paragraphs 25, 26, 27, 28, 29 and paragraph 29a, as enacted by section 1 of *The Public Health Amendment Act, 1965*, of the said section 6 are repealed.

(3) Paragraphs 31 and 32 of the said section 6 are repealed and the following substituted therefor:

31. licensing, regulating and controlling designated health facilities classes of public health and medical laboratories, radiological clinics for diagnosis and therapy, pros-

thetic

thetic and orthotic establishments and such other classes of health facilities as the regulations may designate;

Idem

32. prescribing qualifications for persons operating or engaged in a health facility of any class licensed under paragraph 31.

R.S.O. 1960,
c. 321,
amended

3. The Public Health Act is amended by adding thereto the following sections:

Grants for
full-time
public
health
services

- 21a. The Minister may pay grants in such amounts and upon such terms and conditions as the regulations prescribe to the board of health of a municipality that provides full-time public health services.

Interpre-
tation

- 21b.—(1) In this section, “community health facility” means any building or place or any part of a building or place that is maintained, operated or used,

(a) for the diagnosis, treatment or rehabilitation of persons suffering from physical or mental disorders;

(b) for the prevention of physical or mental disorders; or

(c) by a local board in performing its functions.

Grants for
community
health
facilities

- (2) The Minister may pay grants in such amounts and upon such terms and conditions as the regulations prescribe to a non-profit organization designated by the regulations, a municipality or a local board towards the cost of construction, alteration or additions to a community health facility.

Exceptions

- (3) This section does not apply to a hospital, sanatorium or other institution of a class designated by the regulations.

R.S.O. 1960,
c. 321, s. 34,
subs. 1
(1964,
c. 93, s. 4),
re-enacted;
subs. 1a
(1964,
c. 93, s. 4),
repealed;
subs. 2,
re-enacted

4. Subsection 1, as re-enacted by section 4 of *The Public Health Amendment Act, 1964*, subsection 1a, as enacted by section 4 of *The Public Health Amendment Act, 1964* and amended by section 8 of *The Public Health Amendment Act, 1966*, and subsection 2 of section 34 of *The Public Health Act* are repealed and the following substituted therefor:

Full-time
public
health
services

- (1) Every municipality that does not form part of a health unit shall provide such full-time public health services as the Minister may require.

- (2) Where a municipality fails to provide full-time public health services as required by the Minister, the Minister may furnish or cause to be furnished the full-time public health services required, and the cost thereof shall be charged to the municipality. ^{Idem}

5. *The Public Health Act* is amended by adding thereto the following section: ^{R.S.O. 1960, c. 321, amended}

35b.—(1) In this section, “band” and “council of a band” have the same meaning as in the *Indian Act* (Canada). ^{Interpretation of s. 35 to Indian bands R.S.C. 1952, c. 149}

- (2) The provisions of section 35 that apply to a township municipality apply *mutatis mutandis* to a band, and the council of a band shall be deemed to be the council of a township municipality. ^{Application of s. 35 to Indian bands}

6. *The Public Health Act* is amended by adding thereto the following section: ^{R.S.O. 1960, c. 321, amended}

HEALTH FACILITIES

43.—(1) No person shall operate a health facility of any class prescribed by the regulations made under paragraph 31 of section 6 without a licence therefor. ^{Licence to operate}

- (2) No person shall operate or be engaged in a health facility of any class prescribed by the regulations made under paragraph 31 of section 6 without being qualified as required by the regulations. ^{Qualifications}

7. *The Public Health Act* is amended by adding thereto the following section: ^{R.S.O. 1960, c. 321, amended}

WASTE DISPOSAL

95a.—(1) In this section,

- (a) “municipality” includes a metropolitan municipality;
- (b) “operator” means a person or municipality that owns or operates a waste disposal system or a waste disposal site;
- (c) “waste” means ashes, garbage, refuse, domestic waste, industrial waste or municipal refuse, and includes such other wastes as are designated by the regulations;

^{Interpretation}

(d)

- (d) "waste disposal site" means any land upon which or building in which waste is deposited or processed for incineration, ultimate disposal or decomposition;
- (e) "waste disposal system" means any waste disposal site and any transfer station at which collection vehicles are emptied and any facilities provided at the site for the storage of waste and cover material and includes such other facilities as are necessary for the handling and disposal of waste.

Where
section
does not
apply

- (2) This section does not apply to the disposal of household wastes by any person on his own land unless, in the opinion of the medical officer of health, such disposal creates a nuisance or a hazard to public health.

Existing
systems
and sites
that
comply

- (3) Where a waste disposal system is in operation or a waste disposal site is being used when this section comes into force and such system or site complies with this Act and the regulations, the Minister may issue a certificate of approval therefor.

Idem,
that do not
comply

- (4) Where a waste disposal system is in operation or a waste disposal site is being used when this section comes into force and such site or system does not comply with this section and the regulations, the Minister may issue a provisional certificate of approval upon such terms and conditions as the regulations prescribe.

New systems
and sites
and extensions,
etc.,
of existing
systems
and sites

- (5) No person or municipality shall establish, alter, enlarge or extend,

(a) a waste disposal system; or

(b) a waste disposal site,

unless a certificate of approval has been issued therefor.

Condition
precedent
to issue of
certificate

- (6) No certificate of approval shall be issued to an applicant other than a municipality unless the applicant has,

(a) deposited a sum of money; or

(b) furnished a performance bond,

in such amount and upon such conditions as the regulations prescribe to assure satisfactory maintenance of the waste disposal system or the waste disposal site or the removal of the waste from the system or site if the Minister deems such removal necessary.

- (7) The deposit mentioned in clause *a* of subsection 6 ^{Return of deposit} may be returned to the depositor upon such terms and conditions as the regulations prescribe.
- (8) An applicant for a certificate of approval of a waste disposal system or a waste disposal site that it is ^{Publication of notice of application} proposed to establish, alter, enlarge or extend shall publish notice of his application in a newspaper having general circulation in the locality where the system or site is or is to be located once a week for three successive weeks, and no certificate of approval shall be issued until the expiration of three weeks from the date of the last publication.
- (9) An applicant for a certificate of approval under sub- ^{Information to be furnished} section 8 shall submit to the Minister, plans, specifications and an engineer's report of the work to be undertaken, together with such other information as the Minister may require.
- (10) No by-law for raising money to finance any work ^{No money by-law without certificate} under subsection 8 shall be passed by the council of a municipality until a certificate of approval has been issued therefor.
- (11) No person or municipality shall deposit waste upon ^{Prohibition as to deposit of waste} any land or in any building that is not,
- (a) a waste disposal site; or
- (b) a waste disposal site that is part of a waste disposal system,
- for which a certificate of approval or a provisional certificate of approval has been issued.
- (12) The Minister or a medical officer of health may order ^{Order for removal of waste} any person who deposits any waste upon any land or in any building that has not been approved as a waste disposal site to remove such waste and to restore the site to a condition satisfactory to the Minister or the medical officer of health, as the case may be.

Order upon
failure to
comply with
regulations

- (13) Where a waste disposal system or a waste disposal site is not in conformity with the regulations, the Minister may order the operator to take such action as he may require to bring the system or the site into conformity with the regulations within the time specified in the order.

Action upon
failure to
comply with
order

- (14) Where an operator fails to comply with an order under subsection 13, the Minister may cause the necessary work to be done and charge the owner with the cost thereof, which in the case of an operator other than a municipality may be deducted from the deposit mentioned in subsection 6 or may be recovered with costs in any court of competent jurisdiction.

Former
disposal
sites

- (15) No use shall be made of land which has been used for the disposal of waste within a period of twenty-five years from the year in which the land ceased to be so used unless the approval of the Minister for the proposed use has been given.

Offences

- (16) Every person or municipality that contravenes any provision of this section or the regulations or fails to comply with an order made under this section is guilty of an offence and on summary conviction is liable to a fine of not less than \$100 and not more than \$2,000.

Municipal
responsi-
bility

- (17) Where the Minister reports in writing to the clerk of a municipality that he is of the opinion that it is necessary in the public interest that waste be collected or a waste disposal system or any part thereof be established, maintained, operated, improved, extended, enlarged, altered, repaired or replaced, it is not necessary to obtain the assent of the electors to any by-law for incurring a debt for any such purpose, and the municipality shall forthwith do every possible act and thing in its power to implement the report of the Minister within the time specified.

Regulations

- (18) The Lieutenant Governor in Council may make regulations,
- (a) designating wastes in addition to those specified in clause *b* of section 1;
 - (b) classifying waste disposal systems and waste disposal sites, and exempting any class thereof from this section or the regulations or any provision thereof;

(c)

- (c) providing for the issue of certificates of approval and provisional certificates of approval for waste disposal systems or waste disposal sites, prescribing terms and conditions upon which provisional certificates of approval may be issued, and providing for the cancellation and suspension of certificates of approval and provisional certificates of approval and the procedure therefor;
- (d) governing and regulating the treatment and disposal of waste and prescribing standards for waste disposal systems and waste disposal sites;
- (e) prescribing the amounts and conditions of deposits and bonds for the purpose of subsection 6 and prescribing the terms and conditions upon which deposits may be returned under subsection 7;
- (f) prescribing the records that shall be kept by operators of waste disposal systems and waste disposal sites and the reports that shall be made by such operators;
- (g) respecting any matter necessary or advisable to carry out the intent and purpose of this section or the regulations.

8. Section 100 of *The Public Health Act* is repealed.

R.S.O. 1960,
c. 321, s. 100,
repealed

9. *The Public Health Act* is amended by adding thereto the following section:

R.S.O. 1960,
c. 321,
amended

131a.—(1) Where a municipality in a territorial district, Full-time public health services in isolated municipalities

(a) does not form part of a health unit; and

(b) does not provide full-time public health services,

the Minister may enter into an agreement with the council of the municipality to provide full-time public health services.

(2) The agreement mentioned in subsection 1 shall Idem specify the services to be rendered and the charges to be made for such services.

Commence-
ment

10.—(1) This Act, except subsection 2 of section 2, sections 3, 4, 6, 7 and 8, comes into force on the day it receives Royal Assent.

Idem

(2) Subsection 2 of section 2, sections 3, 4, 6, 7 and 8 come into force on a day to be named by the Lieutenant Governor by his proclamation.

Short title

11. This Act may be cited as *The Public Health Amendment Act, 1967*.

CHAPTER 80

An Act to amend The Public Hospitals Act

Assented to March 22nd, 1967
Session Prorogued June 15th, 1967

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) Subsection 1 of section 14 of *The Public Hospitals Act* is amended by striking out “other than a hospital for chronically ill persons or a hospital for convalescent persons” in the second and third lines and inserting in lieu thereof “that in the regulations is classed as a Group A, Group B, Group C or Group D hospital”, so that the subsection shall read as follows:

- (1) Except as may be otherwise provided in this Act, no hospital receiving provincial aid that in the regulations is classed as a Group A, Group B, Group C or Group D hospital shall refuse to admit as a patient any person who from sickness, disease or injury or otherwise is in need of active treatment.

R.S.O. 1960,
c. 322, s. 14,
subs. 1,
amended
Admission
of patients,
general
hospitals

(2) Subsection 2 of the said section 14 is amended by inserting after “aid” in the second line “that in the regulations is classed as a Group E hospital”, so that the subsection shall read as follows:

- (2) Except as may be otherwise provided in this Act, no hospital for convalescent persons receiving provincial aid that in the regulations is classed as a Group E hospital shall be required to admit as a patient a chronically ill person or a person who is in need of active treatment, and no hospital for convalescent persons receiving such aid shall refuse to admit as a patient any convalescent person referred to it from an active treatment hospital or by a legally qualified medical practitioner in accordance with the regulations.

R.S.O. 1960,
c. 322, s. 14,
subs. 2,
amended
Idem,
hospitals
for con-
valescent
persons

R.S.O. 1960,
c. 322, s. 14,
subs. 3,
amended

(3) Subsection 3 of the said section 14 is amended by inserting after "aid" in the second line "that in the regulations is classed as a Group F or Group G hospital", so that the subsection shall read as follows:

Idem,
hospitals
for
chronically
ill persons

(3) Except as may be otherwise provided in this Act, no hospital for chronically ill persons receiving provincial aid that in the regulations is classed as a Group F or Group G hospital shall be required to admit as a patient a convalescent person or a person who is in need of active treatment, and no hospital for chronically ill persons receiving such aid shall refuse to admit as a patient any chronically ill person so certified and referred to it from an active treatment hospital in accordance with the regulations.

R.S.O. 1960,
c. 322, s. 14,
amended

(4) The said section 14 is amended by adding thereto the following subsections:

Idem,
hospitals
for active
psychiatric
treatment

(4) Except as may be otherwise provided in this Act, no hospital receiving provincial aid that in the regulations is classed as a Group H hospital shall be required to admit as a patient any person other than a person requiring active psychiatric treatment.

Idem,
hospitals
for
alcoholism
and drug
addiction

(5) Except as may be otherwise provided in this Act, no hospital receiving provincial aid that in the regulations is classed as a Group I hospital shall be required to admit as a patient any person other than a person suffering from alcoholism or drug addiction.

R.S.O. 1960,
c. 322, s. 18,
subs. 1, cl. a,
amended

2. Clause *a* of subsection 1 of section 18 of *The Public Hospitals Act* is amended by inserting after "A" in the second line "Group H or Group I", so that the clause shall read as follows:

(a) in the case of a hospital that in the regulations is classed as a Group A, Group H or Group I hospital, at the rate of \$9 per day.

Commence-
ment

3. This Act comes into force on the day it receives Royal Assent.

Short title

4. This Act may be cited as *The Public Hospitals Amendment Act, 1967*.

CHAPTER 81

An Act to amend The Public Lands Act

*Assented to June 15th, 1967
Session Prorogued June 15th, 1967*

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Section 43c of *The Public Lands Act*, as enacted by R.S.O. 1960, section 2 of *The Public Lands Amendment Act, 1960-61*, is c. 324, s. 43c (1960-61, c. 81, s. 2), amended by adding thereto the following subsections:

- (2) The Minister or the Minister of Public Works may enter into agreements with the owners of lands respecting the erection, maintenance and operation thereon of a public work within the meaning of *The Public Works Act*. Agreements for works, etc.
R.S.O. 1960, c. 338
- (3) An agreement entered into under subsection 2 may be registered in the proper registry or land titles office and thereupon such agreement is binding upon every subsequent owner and mortgagee of the lands during the term of the agreement. Registration of agreements

2. This Act comes into force on the day it receives Royal Assent. Commencement

3. This Act may be cited as *The Public Lands Amendment Act, 1967*. Short title

CHAPTER 82

An Act to amend The Public Schools Act

*Assented to June 15th, 1967
Session Prorogued June 15th, 1967*

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Subsection 7 of section 5 of *The Public Schools Act*, as enacted by section 1 of *The Public Schools Amendment Act, 1962-63*, is amended by inserting after "second" in the second line "or third", so that the subsection shall read as follows: R.S.O. 1960,
c. 330, s. 5,
subs. 7
(1962-63,
c. 117, s. 1),
amended

- (7) The board may provide a class or classes for children Beginners
class to enter school for the first time in the second or third term of any school year on and after a date approved by the board, in which case a child whose birthday is on or after the 1st day of January and before the 1st day of July and who is eligible to be admitted to public school or kindergarten, as the case may be, the following September has the right to attend such a class.

2. Subsection 6 of section 6 of *The Public Schools Act*, as amended by subsection 4 of section 2 of *The Public Schools Amendment Act, 1965*, is further amended by striking out "3, 4 or 9" in the fourth line and inserting in lieu thereof "4, 5 or 10". R.S.O. 1960,
c. 330, s. 6,
subs. 6,
amended

3. Subsection 5 of section 13 of *The Public Schools Act*, as re-enacted by section 3 of *The Public Schools Amendment Act, 1964*, is amended by striking out "of travelling" in the second and third lines and inserting in lieu thereof "incurred", so that the subsection shall read as follows: R.S.O. 1960,
c. 330, s. 13
(1964, c. 95,
s. 3),
subs. 5,
amended

- (5) A county may reimburse the members of its consultative committee for their actual expenses incurred on business of the committee. Expenses

4.—(1) Subsection 5 of section 14 of *The Public Schools Act*, as re-enacted by section 3 of *The Public Schools Amendment Act, 1964*, is amended by striking out "of travelling" R.S.O. 1960,
c. 330, s. 14
(1964, c. 95,
s. 3),
subs. 5,
amended

in the third line and inserting in lieu thereof "incurred", so that the subsection shall read as follows:

Expenses

- (5) The Minister may reimburse the members of a committee elected under this section for their actual expenses incurred on business of the committee.

R.S.O. 1960,
c. 330, s. 14,
subs. 12
(1966, c. 129,
s. 4, subs. 4),
cls. a, c,
re-enacted

(2) Clauses *a* and *c* of subsection 12 of the said section 14, as re-enacted by subsection 4 of section 4 of *The Public Schools Amendment Act, 1966*, are repealed and the following substituted therefor:

- (a) where the number of trustees is fewer than five or more than nine, or where, by virtue of clause *c*, more than one-half of the municipalities or parts thereof in the district school area are not deemed municipalities for the purposes of such sections 55 and 56, the Minister, on the request of a majority of the councils of the municipalities concerned, may determine the number of trustees to be elected to the board, their terms of office and the municipality or municipalities to be represented by each trustee;

.

- (c) where the assessment for public school purposes in a municipality or part thereof in a district school area is less than 10 per cent of the assessment for public school purposes in the municipality or part thereof having the greatest assessment for public school purposes in the district school area, the first mentioned municipality or part thereof shall not be deemed a municipality for the purposes of such sections 55 and 56.

R.S.O. 1960,
c. 330, s. 14,
subs. 13a
(1966, c. 129,
s. 4, subs. 5),
repealed

(3) Subsection 13a of the said section 14, as enacted by subsection 5 of section 4 of *The Public Schools Amendment Act, 1966*, is repealed.

R.S.O. 1960,
c. 330, s. 40,
subs. 4
(1966, c. 129,
s. 23,
subs. 1),
re-enacted

5.—(1) Subsection 4 of section 40 of *The Public Schools Act*, as re-enacted by subsection 1 of section 23 of *The Public Schools Amendment Act, 1966*, is repealed and the following substituted therefor:

Alteration
of areas

- (4) The council of a county, by a by-law passed before the 1st day of July in any year, may,

- (a) add all or part of a township school area in the county or partly in the county and in one or more adjoining counties to another township school area in the county or in one or more adjoining counties;

(b)

- (b) add all of any urban school section, except a city or separated town, or all or part of a union school section in the county or partly in the county and in one or more adjoining counties, except a city or separated town, to a township school area in the county or in one or more adjoining counties,

as recommended by the consultative committee, provided that, if the by-law of the county affects all or part of a municipality that forms part of another county for municipal purposes, or affects a city or separated town, the by-law is not effective unless the council of the other county or the city or separated town, as the case may be, by resolution, consents thereto within ninety days of the passing of the by-law.

(2) The said section 40 is amended by adding thereto the following subsection: R.S.O. 1960,
c. 330, s. 40
(1964, c. 95,
s. 6),
amended

- (16) Every township school area that is formed, continued or altered by this section may be altered or dissolved in accordance with this Act. Alteration
of school
areas
continued
by this
section

6. Subsection 1 of section 40b of *The Public Schools Act*, as re-enacted by subsection 1 of section 25 of *The Public Schools Amendment Act, 1966*, is amended by striking out "and" at the end of clause b and by adding thereto the following clause: R.S.O. 1960,
c. 330, s. 40b,
subs. 1
(1966, c. 129,
s. 25,
subs. 1),
amended

- (ba) where on the 30th day of September in any year the percentage that the resident pupils in a municipality or part thereof in a township school area is of the total enrolment of pupils in the township school area is at least ten percentage points less than the percentage that the population of such municipality or part is of the total population of the township school area, the Minister, on the request of the council of a municipality concerned, may determine the number of trustees to be elected in each municipality at the next and subsequent elections to be held in each municipality, and such determination shall remain in effect until changed by the Minister on the request of a municipality concerned; and

.

7.—(1) Subsection 4 of section 40c of *The Public Schools Act*, as enacted by section 6 of *The Public Schools Amendment Act, 1964*, and amended by subsection 1 of section 14 of *The* R.S.O. 1960,
c. 330, s. 40c
(1964, c. 95,
s. 6),
subs. 4,
re-enacted

Public Schools Amendment Act, 1965, is repealed and the following substituted therefor:

Corporate
name

- (4) Every board of trustees of a township school area that does not include an urban municipality is a corporation by the name of "The Public School Board of the Township School Area of (*insert name of municipality, or, where more than one municipality is included in the area, insert name selected by the board and approved by the Minister*)".

Idem

- (4a) Every board of trustees of a township school area that includes one or more urban municipalities is a corporation by the name of "The (*insert name selected by the board and approved by the Minister*) Area Public School Board", provided that every such board now in existence shall continue under its present name until changed in accordance with this subsection.

R.S.O. 1960,
c. 330, s. 40c
(1964, c. 95,
s. 6),
subs. 9,
re-enacted

- (2) Subsection 9 of the said section 40c is repealed and the following substituted therefor:

Voters' list

- (9) Where a township school area includes part of a township that is not deemed a municipality for the purposes of subsection 1 or 2 of section 55 of *The Secondary Schools and Boards of Education Act*, the clerk of the township that includes such part shall furnish to the clerk of the municipality to which such part has been attached under subsection 10 a certified copy of the list of voters qualified to vote on school matters in such part of the township.

R.S.O. 1960,
c. 362

- (3) Subsection 10 of the said section 40c, as enacted by subsection 2 of section 14 of *The Public Schools Amendment Act, 1965*, and amended by subsection 3 of section 26 of *The Public Schools Amendment Act, 1966*, is repealed and the following substituted therefor:

R.S.O. 1960,
c. 330, s. 40c,
subs. 10
(1965, c. 109,
s. 14,
subs. 2),
amended

Parts not
rated for
trustee,
attached to
another
municipality
for voting
purposes

- (10) Each part of a township that is included in a township school area but that is not deemed a municipality for the purposes of subsection 1 or 2 of section 55 of *The Secondary Schools and Boards of Education Act* shall, for the purposes of the election of trustees and of voting on school matters, be attached to the township in which the township school area is formed or, where the township school area includes all or parts of two or more other municipalities, it shall be attached for such purposes, by resolution, by the public school consultative committee of the county

in which the township school area or the part of the township school area having the greatest assessment is located, to one of such other municipalities.

8. Subsection 7 of section 41 of *The Public Schools Act*, R.S.O. 1960, c. 330, s. 41, as amended by section 27 of *The Public Schools Amendment Act, 1966*, is further amended by striking out "21 to 23" in the third line, subs. 7, amended

9. Subsection 11 of section 55 of *The Public Schools Act*, R.S.O. 1960, c. 330, s. 55, as re-enacted by subsection 4 of section 34 of *The Public Schools Amendment Act, 1966*, is amended by striking out (1966, subs. 11, c. 129, s. 34, subs. 4), "high" in the third line, in the sixth line, in the seventh line and in the fourteenth line and inserting in lieu thereof in each instance "secondary", so that the subsection shall read as follows: amended

- (11) Where a part of a union school section or a county, district or township school area in a municipality is also in a secondary school district, and another part of the union school section or county, district or township school area is in an adjoining municipality that does not form part of a secondary school district, and the secondary school board is furnishing transportation for its resident pupils, the public school board of the union school section or county, district or township school area may furnish transportation for secondary school pupils whose parents or guardians are public school supporters and who reside in the part of the union school section or county, district or township school area that is not in the secondary school district and may require the council of such adjoining municipality to levy the cost of the transportation for the preceding year, less the legislative grant paid thereon, on the taxable property of the public school supporters in that part of the union school section or county, district or township school area. Levy for transportation costs for secondary school pupils resident in part of school section not in secondary school district

10. Subsection 2 of section 59 of *The Public Schools Act* R.S.O. 1960, c. 330, s. 59, is amended by striking out "and" at the end of clause *a*, by adding "and" at the end of clause *b* and by adding thereto the following clause: subs. 2, amended

- (c) include the cost of providing polling places in such territory.

11. Section 62 of *The Public Schools Act* is repealed.

R.S.O. 1960, c. 330, s. 62, repealed

12. Section 64 of *The Public Schools Act* is repealed.

R.S.O. 1960, c. 330, s. 64, repealed

R.S.O. 1960,
c. 330, s. 69,
subs. 3,
re-enacted

13. Subsection 3 of section 69 of *The Public Schools Act*, as amended by section 8 of *The Public Schools Amendment Act, 1964*, is repealed and the following substituted therefor:

Municipality
to account
for moneys

- (3) The council of each municipality shall annually account for all moneys collected for public school purposes, and the sum required by the board of the school section for school purposes shall be paid over to the board not later than the 15th day of December, and any sum collected in excess of the sum required by the board for school purposes shall be retained by the municipality and applied to reduce the sum that the municipality is required by such board to raise for school purposes in the following year.

R.S.O. 1960,
c. 330, s. 74,
subs. 1, cl. b
(1965, c. 109,
s. 20),
subcl. iv,
amended

14.—(1) Subclause iv of clause *b* of subsection 1 of section 74 of *The Public Schools Act*, as re-enacted by section 20 of *The Public Schools Amendment Act, 1965*, is amended by striking out “v” in the fourth line, so that the subclause shall read as follows:

- (iv) may provide for expenditures for permanent improvements, provided that the total of expenditures for permanent improvements referred to in subparagraphs i, ii, iii and vii of paragraph 25 of subsection 2 of section 1 of *The Schools Administration Act* shall not exceed a sum calculated at two mills in the dollar upon the total assessment of the taxable property of public school supporters in the school section according to the last revised assessment roll, and for further expenditures if such further expenditures are approved in the manner provided for approving debentures for permanent improvements.

R.S.O. 1960,
c. 361

(2) Clauses *i* and *j* of subsection 2 of the said section 74, as enacted by section 12 of *The Public Schools Amendment Act, 1962-63*, are repealed.

R.S.O. 1960,
c. 330, s. 74,
subs. 2,
cls. i, j
(1962-63,
c. 117, s. 12),
repealed

Commence-
ment

15.—(1) This Act, except section 13, comes into force on the day it receives Royal Assent.

Idem

(2) Section 13 shall be deemed to have come into force on the 1st day of January, 1967.

Short title

16. This Act may be cited as *The Public Schools Amendment Act, 1967*.

CHAPTER 83

**An Act to amend
The Public Service Superannuation Act**

*Assented to June 15th, 1967
Session Prorogued June 15th, 1967*

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Section 6 of *The Public Service Superannuation Act* is amended by adding thereto the following subsection: R.S.O. 1960,
c. 332, s. 6,
amended

(1a) Where in the opinion of the Board special circumstances exist, the Board may determine the amount to be paid by a person in lieu of the amount provided in clause *d* of subsection 1. Exception

2. Section 7 of *The Public Service Superannuation Act* is repealed and the following substituted therefor: R.S.O. 1960,
c. 332, s. 7,
re-enacted

7.—(1) A contributor who is granted leave of absence of more than one month without salary because of illness or pregnancy shall, within six months of the termination of the leave, contribute to the Fund an amount equal to the amount that would have been contributed if the leave had not been granted. Leave of
absence
contribu-
tions

(2) A contributor who is granted leave of absence of more than one month without salary for special or educational purposes may make contributions to the Fund for the period of the leave, in which case he shall contribute an amount equal to the amount he would have contributed to the Fund if he had not been granted the leave together with an amount equal to the amount that would have been credited to the Fund under section 8, and such contribution shall be made within a period of time that is equal to or less than the period of leave, or he may elect not to make such contribution, in which case he is not entitled to credit for the period of the leave. Idem

Idem

- (3) Where a contributor is granted leave of absence without salary for educational purposes and he receives bursary assistance as provided for under *The Public Service Act, 1961-62*, the leave shall be deemed for the purposes of this Act to be educational leave of absence with pay, and he shall contribute to the Fund an amount equal to the amount he would have contributed if he had not been granted the leave, and the amount of the contribution shall be deducted from his bursary, unless at the time the contributor is granted the leave of absence, he elects not to make such contribution, in which case he is not entitled to credit for the period of the leave.

1961-62,
c. 121R.S.O. 1960,
c. 332, s. 12
(1966,
c. 131, s. 10),
subs. 6,
re-enacted

3. Subsection 6 of section 12 of *The Public Service Superannuation Act*, as re-enacted by section 10 of *The Public Service Superannuation Amendment Act, 1966*, is repealed and the following substituted therefor:

Where sub-
section 5
does not
apply

- (6) The reduction in subsection 5 does not apply to a person who has credit in the Fund in respect of employment in the public service before the 1st day of January, 1966, unless the person receives an immediate annuity before he is sixty years of age, in which case, in lieu of the reduction in subsection 5, the amount of his annuity shall be reduced at the rate of 5 per cent for each year by which his age is less than sixty years at the beginning of the month in which he commences to receive the annuity.

R.S.O. 1960,
c. 332, s. 20
(1966,
c. 131, s. 18),
subs. 9,
amended

4. Subsection 9 of section 20 of *The Public Service Superannuation Act*, as re-enacted by section 18 of *The Public Service Superannuation Amendment Act, 1966*, is amended by striking out "day this Act came into force" in the second line and inserting in lieu thereof "8th day of July, 1966", so that the subsection shall read as follows:

Exception

- (9) Where a contributor who had credit in the Fund on the 8th day of July, 1966,

(a) dies before the 1st day of January, 1969; or

(b) ceases to be employed before that day and subsequently dies,

leaving a widow or child or children, the allowance otherwise payable under this section shall be computed under *The Public Service Superannuation Act* as it was on the 31st day of December, 1965.

5. Any person who was employed on the probationary staff of the classified service on the 1st day of April, 1965, and who has contributions in the Teachers' Superannuation Fund may elect to continue as a contributor under *The Teachers' Superannuation Act* or to become a contributor under this Act, and he shall send written notice of his election to the Teachers' Superannuation Commission and to the Board within sixty days after this section comes into force, and, if he fails to send the notice in accordance with this section, he shall continue as a contributor under *The Teachers' Superannuation Act*.

Election to
contribute

R.S.O. 1960,
c. 392

6.—(1) This Act, except section 3, comes into force on the day it receives Royal Assent.

Commence-
ment

(2) Section 3 shall be deemed to have come into force on the 1st day of January, 1966.

Idem

7. This Act may be cited as *The Public Service Superannuation Amendment Act, 1967*.

Short title

CHAPTER 84

An Act to amend The Public Trustee Act

*Assented to March 22nd, 1967
Session Prorogued June 15th, 1967*

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Clause *d* of section 14 of *The Public Trustee Act* is R.S.O. 1960, amended by striking out "and the auditing thereof" in the ^{c. 334, s. 14,} ^{cl. *d*,} first and second lines, so that the clause shall read as follows: ^{amended}

(*d*) respecting the accounts to be kept.

2. *The Public Trustee Act* is amended by adding thereto R.S.O. 1960, the following section: ^{c. 334,} ^{amended}

17. The Provincial Auditor shall examine and report ^{Audit} upon the accounts and financial transactions of the Public Trustee.

3. This Act comes into force on the day it receives Royal ^{Commence-} Assent. ^{ment}

4. This Act may be cited as *The Public Trustee Amendment* ^{Short title} *Act, 1967.*

CHAPTER 85

**An Act to amend
The Reciprocal Enforcement of Judgments Act**

*Assented to June 15th, 1967
Session Prorogued June 15th, 1967*

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Subsection 1 of section 2 of *The Reciprocal Enforcement of Judgments Act* is repealed and the following substituted therefor: R.S.O. 1960,
c. 345, s. 2,
subs. 1,
re-enacted

- (1) Where a judgment has been given in a court in a reciprocating state, the judgment creditor may apply to any court in Ontario having jurisdiction over the subject-matter of the judgment in the place where the debtor resides, or, notwithstanding the subject-matter, to the Supreme Court at any time within six years after the date of the judgment to have the judgment registered in that court, and on any such application the court may, subject to this Act, order the judgment to be registered. Registration
of
judgment

2. This Act comes into force on the day it receives Royal Assent. Commence-
ment

3. This Act may be cited as *The Reciprocal Enforcement of Judgments Amendment Act, 1967*. Short title

CHAPTER 86

An Act to amend The Reciprocal Enforcement
of Maintenance Orders Act

Assented to March 22nd, 1967
Session Prorogued June 15th, 1967

HER MAJESTY, by and with the advice and consent of
the Legislative Assembly of the Province of Ontario,
enacts as follows:

1. *The Reciprocal Enforcement of Maintenance Orders Act* R.S.O. 1960,
c. 346,
amended
is amended by adding thereto the following section:

5a. Where an order or judgment made by a court in a reciprocating state includes provision for maintenance in the determination of any other question, the court in Ontario may, in its discretion, Where
maintenance
ancillary
to larger
question

(a) deem the provision for maintenance to be severed from any other question determined by the order or judgment; and

(b) deem the provision for maintenance to be a provisional order for maintenance and deal with the order under section 5.

2. This Act comes into force on the day it receives Royal Assent. Commence-
ment

3. This Act may be cited as *The Reciprocal Enforcement of Maintenance Orders Amendment Act, 1967.* Short title

CHAPTER 87

An Act to amend
The Regional Detention Centres Act, 1965

*Assented to March 22nd, 1967
Session Prorogued June 15th, 1967*

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) Subsection 1 of section 1 of *The Regional Detention Centres Act, 1965* is amended by striking out “adjoining” in the first line, so that the subsection, exclusive of the clauses, shall read as follows:

1965,
c. 115, s. 1,
subs. 1,
amended

- (1) The councils of any two or more counties may enter into an agreement for the joint establishment, maintenance and operation of a regional detention centre, and the agreement may include any matter for such purpose, including, without restricting the generality of the foregoing,

Agreement
for regional
detention
centre

.

- (2) Subsection 2 of the said section 1 is repealed and the following substituted therefor:

1965,
c. 115, s. 1,
subs. 2,
re-enacted

- (2) A city that maintains its own jail may enter into an agreement with one or more counties in the same manner as if the city were a county, and shall be deemed to be a county for the purposes of this Act.

Where
city has
own jail

2. Subsection 1 of section 2 of *The Regional Detention Centres Act, 1965* is repealed and the following substituted therefor:

1965,
c. 115, s. 2,
subs. 1,
re-enacted

- (1) Where an agreement is approved, a regional detention centre board shall be established consisting of representatives of each county entering into the agreement appointed by the council of the county and approved by the Minister of Reform Institutions, in such numbers as may be agreed upon, but

Regional
detention
centre
board

the county having the largest population, as determined by the last revised assessment rolls, shall have at least one more member than any other party to the agreement.

1965,
c. 115,
amended

3. *The Regional Detention Centres Act, 1965* is amended by adding thereto the following section:

Approval
of plans

5a.—(1) Every regional detention centre shall be constructed in accordance with plans approved by the Minister of Reform Institutions.

Construction
grants

(2) Where the plans for the construction of a regional detention centre are approved under subsection 1, the board may be paid out of the moneys appropriated therefor by the Legislature a grant toward the cost of construction in accordance with the regulations.

Regulations

(3) The Lieutenant Governor in Council may make regulations,

(a) providing for the approval of plans under subsection 1;

(b) governing applications for grants and the manner, terms and conditions of the payment of grants;

(c) prescribing the manner of computing the cost of construction for the purposes of subsection 2 and for determining the amounts of the grants;

(d) prescribing forms for the purposes of this section and providing for their use.

Commence-
ment

4. This Act comes into force on the day it receives Royal Assent.

Short title

5. This Act may be cited as *The Regional Detention Centres Amendment Act, 1967*.

CHAPTER 88

**An Act to amend
The Retail Sales Tax Act, 1960-61**

*Assented to March 22nd, 1967
Session Prorogued June 15th, 1967*

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Subsection 9 of section 2 of *The Retail Sales Tax Act*, ^{1960-61, c. 91, s. 2, subs. 9, re-enacted} 1960-61, as amended by subsection 2 of section 1 of *The Retail Sales Tax Amendment Act, 1965*, is repealed and the following substituted therefor:

- (9) Where tangible personal property subject to tax ^{Tax on merchandise tendered in trade} under this Act is accepted at the time of sale by a person or a vendor on account of the price of other tangible personal property sold, the purchaser shall pay a tax at the rate provided in subsection 1 calculated on the difference between the fair value of the property sold and the credit allowed for the tangible personal property accepted on account of the purchase price in trade.

2.—(1) Paragraphs 12 and 13 of section 5 of *The Retail Sales Tax Act*, 1960-61 ^{1960-61, c. 91, s. 5, par. 12, re-enacted; par. 13, repealed} are repealed and the following substituted therefor:

12. farm implements, farm machinery, farm equipment and repair parts, as defined by the Treasurer, that in his opinion are to be used by a person engaged in the business of farming.

(2) Paragraph 38 of the said section 5, as enacted by subsection 4 of section 3 of *The Retail Sales Tax Amendment Act, 1961-62*, ^{1960-61, c. 91, s. 5, par. 38 (1961-62, subs. 4), amended} is amended by adding at the end thereof "or use", so that the paragraph shall read as follows:

38. machinery and apparatus and parts thereof, as defined by the Treasurer, that in his opinion are to be used by the purchaser thereof directly in the process of manufacture or production of tangible personal property for sale or use.

1960-61,
c. 91, s. 5,
par. 39
(1961-62,
c. 126, s. 3,
subs. 4),
amended

(3) Paragraph 39 of the said section 5, as enacted by subsection 4 of section 3 of *The Retail Sales Tax Amendment Act, 1961-62*, is amended by adding at the end thereof "or use", so that the paragraph shall read as follows:

39. materials, as defined by the Treasurer, that in his opinion are to be consumed or expended by the purchaser thereof directly in the process of manufacture or production of tangible personal property for sale or use.

1960-61,
c. 91, s. 5,
par. 40,
amended

(4) Paragraph 40 of the said section 5 is amended by adding at the end thereof "or use", so that the paragraph shall read as follows:

40. tangible personal property purchased for the purpose of being processed, fabricated or manufactured into, attached to, or incorporated into, tangible personal property for the purpose of sale or use.

1960-61,
c. 91, s. 5,
par. 46
(1961-62,
c. 126, s. 3,
subs. 7),
re-enacted

(5) Paragraph 46 of the said section 5, as re-enacted by subsection 7 of section 3 of *The Retail Sales Tax Amendment Act, 1961-62*, is repealed and the following substituted therefor:

46. books that are printed and bound and that are published solely for educational, technical, cultural or literary purposes and that contain no advertising, but not directories, price lists, time tables, rate books, catalogues, reports, fashion books, albums or any books of the same general classes.

1960-61,
c. 91, s. 5,
amended

(6) The said section 5, as amended by section 3 of *The Retail Sales Tax Amendment Act, 1961-62*, section 2 of *The Retail Sales Tax Amendment Act, 1962-63*, section 4 of *The Retail Sales Tax Amendment Act, 1964*, section 2 of *The Retail Sales Tax Amendment Act, 1965* and section 3 of *The Retail Sales Tax Amendment Act, 1966*, is further amended by adding thereto the following paragraph:

67. tangible personal property situated on a reserve, as defined by the *Indian Act* (Canada), when purchased by an Indian, and tangible personal property purchased by an Indian off the reserve when delivered to the reserve for consumption or use by an Indian.

R.S.C. 1952,
c. 149

1960-61,
c. 91, s. 25,
subs. 1,
cl. a,
re-enacted

3. Clause *a* of subsection 1 of section 25 of *The Retail Sales Tax Act, 1960-61* is repealed and the following substituted therefor:

(a)

- (a) an amount equal to 5 per cent of the tax that was collectable and of the tax that was payable by him for the period covered by the return, if the amount of such tax was less than \$10,000; and

.

4. This Act comes into force on the 1st day of April, 1967. Commence-
ment

5. This Act may be cited as *The Retail Sales Tax Amend-Short title
ment Act, 1967.*

CHAPTER 89

An Act to amend The Sale of Goods Act

*Assented to June 15th, 1967
Session Prorogued June 15th, 1967*

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Section 25 of *The Sale of Goods Act* is amended by adding thereto the following subsection: R.S.O. 1960, c. 358, s. 25, amended

(2a) Subsection 2 does not apply to goods the possession of which has been obtained by a buyer under a security agreement whereby the seller retains a security interest within the meaning of *The Personal Property Security Act, 1967*, and the rights of the parties shall be determined by that Act. Security interests excepted 1967, c. 73

2. This Act comes into force on a day to be named by the Lieutenant Governor by his proclamation. Commencement

3. This Act may be cited as *The Sale of Goods Amendment Act, 1967*. Short title

CHAPTER 90

An Act to amend The Schools Administration Act

*Assented to June 15th, 1967
Session Prorogued June 15th, 1967*

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) Paragraph 26a of subsection 2 of section 1 of *The Schools Administration Act*, as enacted by section 1 of *The Schools Administration Amendment Act, 1964*, is repealed and the following substituted therefor:

R.S.O. 1960,
c. 361, s. 1,
subs. 2,
par. 26a
(1964,
c. 105, s. 1),
re-enacted

26a. "population" of a municipality or a portion thereof means the population determined by reference to the last municipal census of the municipality, less the number of inmates in public institutions in the municipality or the portion thereof, as certified by the clerk of the municipality.

(2) Paragraph 32 of subsection 2 of the said section 1, as re-enacted by subsection 2 of section 1 of *The Schools Administration Amendment Act, 1966*, is repealed and the following substituted therefor:

R.S.O. 1960
c. 361, s. 1,
subs. 2,
par. 32
(1966,
c. 140, s. 1
subs. 2),
re-enacted

32. "rural school section" means a school section, other than an enlarged administrative area, that comprises only territory without municipal organization.

2.—(1) Subsection 1 of section 7 of *The Schools Administration Act* is amended by striking out "officer" in the third line and inserting in lieu thereof "counsellor".

R.S.O. 1960,
c. 361, s. 7,
subs. 1,
amended

(2) Subsection 3 of the said section 7 is amended by striking out "officer" in the fourth line and inserting in lieu thereof "counsellor".

R.S.O. 1960,
c. 361, s. 7,
subs. 3,
amended

(3) Subsection 4 of the said section 7 is amended by striking out "officer" in the first line and in the second line and inserting in lieu thereof in each instance "counsellor".

R.S.O. 1960,
c. 361, s. 7,
subs. 4,
amended

R.S.O. 1960,
c. 361,
ss. 8, 9,
re-enacted

3. Section 8 and section 9, as amended by section 1 of *The Schools Administration Amendment Act, 1962-63*, of *The Schools Administration Act* are repealed and the following substituted therefor:

Appoint-
ment of
school
attendance
counsellors

8.—(1) Every board shall appoint one or more school attendance counsellors.

Idem

(2) Two or more boards may appoint the same school attendance counsellor or counsellors.

Vacancies

(3) Where the office of a school attendance counsellor becomes vacant, it shall be filled forthwith by the appointing body.

Notice of
appoint-
ment

(4) Notice of the appointment of a school attendance counsellor shall be given in writing by the board to the provincial school attendance counsellor and to the school inspectors concerned.

Jurisdiction
and re-
sponsibility
of
counsellors,
of public
schools

9.—(1) A school attendance counsellor appointed by a public school board has jurisdiction and is responsible for the enforcement of compulsory school attendance in respect of all children who are of compulsory school age in the area in which the board that appointed him has jurisdiction or who are not resident pupils of the public school section but are or have been enrolled during the current school year in a public school operated by the board, except children who are subject to the jurisdiction of a school attendance counsellor appointed by a secondary or separate school board.

of separate
schools

(2) A school attendance counsellor appointed by a separate school board has jurisdiction and is responsible for the enforcement of compulsory school attendance in respect of all children who are of compulsory school age and whose parents or guardians are supporters of a school operated by the board or who are not resident pupils of the separate school zone but are or have been enrolled during the current school year in a separate school operated by the board, except children who are subject to the jurisdiction of a school attendance counsellor appointed by a secondary school board.

of secondary
schools

(3) A school attendance counsellor appointed by a secondary school board has jurisdiction and is responsible for the enforcement of compulsory school attendance in respect of all children of compulsory

school

school age who are resident pupils of the secondary school district or who are not resident pupils of a secondary school district but are or have been enrolled during the current school year in a secondary school operated by the board.

- (4) A school attendance counsellor appointed by a ^{of boards of education} board of education has jurisdiction and is responsible for the enforcement of compulsory school attendance in respect of all children who are of compulsory school age in the area in which the board has jurisdiction or who are not resident pupils of the public school section or high school district but are or have been enrolled during the current school year in a public or secondary school operated by the board, except children who are subject to the jurisdiction of a school attendance counsellor appointed by a separate school board.

4.—(1) Subsection 1 of section 10 of *The Schools Administration Act* is amended by striking out “officer” in the first line and inserting in lieu thereof “counsellor”. R.S.O. 1960,
c. 361, s. 10,
subs. 1,
amended

(2) Subsection 2 of the said section 10 is amended by striking out “officer” in the first line and in the third line and inserting in lieu thereof in each instance “counsellor”. R.S.O. 1960,
c. 361, s. 10,
subs. 2,
amended

(3) Subsection 3 of the said section 10 is amended by striking out “officer” in the first line and in the fourth line and inserting in lieu thereof in each instance “counsellor”. R.S.O. 1960,
c. 361, s. 10,
subs. 3,
amended

(4) Subsection 4 of the said section 10 is amended by striking out “officer” in the first line and inserting in lieu thereof “counsellor”. R.S.O. 1960,
c. 361, s. 10,
subs. 4,
amended

5.—(1) Clause *a* of subsection 1 of section 12 of *The Schools Administration Act* is amended by striking out “officer” in the second line and inserting in lieu thereof “counsellor”. R.S.O. 1960,
c. 361, s. 12,
subs. 1,
cl. a,
amended

(2) Clause *b* of subsection 1 of the said section 12 is amended by striking out “officer” in the first line and in the second line and inserting in lieu thereof in each instance “counsellor”. R.S.O. 1960,
c. 361, s. 12,
subs. 1,
cl. b,
amended

(3) Clause *c* of subsection 1 of the said section 12 is amended by striking out “officer” in the first line and inserting in lieu thereof “counsellor”. R.S.O. 1960,
c. 361, s. 12,
subs. 1,
cl. c,
amended

(4) Subsection 2 of the said section 12 is amended by striking out “officer” in the second line and inserting in lieu thereof “counsellor”. R.S.O. 1960,
c. 361, s. 12,
subs. 2,
amended

R.S.O. 1960,
c. 361, s. 13,
subs. 1,
amended

6.—(1) Subsection 1 of section 13 of *The Schools Administration Act* is amended by striking out “officer” in the second line and in the eleventh line and inserting in lieu thereof in each instance “counsellor”.

R.S.O. 1960,
c. 361, s. 13,
subs. 2,
amended

(2) Subsection 2 of the said section 13 is amended by striking out “officer” in the first line and in the ninth line and inserting in lieu thereof in each instance “counsellor”.

R.S.O. 1960,
c. 361, s. 13,
subs. 3,
amended

(3) Subsection 3 of the said section 13 is amended by striking out “officer” in the first line and inserting in lieu thereof “counsellor”.

R.S.O. 1960,
c. 361, s. 14,
amended

7. Section 14 of *The Schools Administration Act* is amended by striking out “officer” in the tenth line and in the nineteenth line and inserting in lieu thereof in each instance “counsellor”.

R.S.O. 1960,
c. 361, s. 16,
subs. 1,
amended

8. Subsection 1 of section 16 of *The Schools Administration Act* is amended by striking out “officer” in the second line and inserting in lieu thereof “counsellor”.

R.S.O. 1960,
c. 361, s. 35,
par. 15,
re-enacted

9.—(1) Paragraph 15 of section 35 of *The Schools Administration Act* is repealed and the following substituted therefor:

legal costs

15. pay the costs, or any part thereof, incurred by any member of the board or by any teacher, officer or other employee of the board in successfully defending any legal proceeding brought against him,

i. for libel or slander in respect of any statements relating to the employment, suspension or dismissal of any person by the board published at a meeting of the board or of a committee thereof, or

ii. for assault in respect of disciplinary action taken in the course of duty.

R.S.O. 1960,
c. 361, s. 35,
par. 21,
amended

(2) Paragraph 21 of the said section 35 is amended by inserting after “premises” in the first line “and school buses owned by the board”, so that the paragraph shall read as follows:

permit use
of school
premises,
etc.

21. permit the school buildings and premises and school buses owned by the board to be used for any educational or other lawful purposes that it deems proper, provided the proper conduct of the school is not interfered with.

(3) The said section 35, as amended by section 2 of *The Schools Administration Amendment Act, 1960-61*, section 2 of *The Schools Administration Amendment Act, 1962-63*, section 7 of *The Schools Administration Amendment Act, 1964* and section 4 of *The Schools Administration Amendment Act, 1965*, is further amended by adding thereto the following paragraphs:

27a. establish and conduct during the school year courses ^{winter courses} for teachers;

.

37. subject to the approval of the Minister, establish, as provided by the regulations, special education programmes ^{special education programmes} to provide special education services for children who require such services;

38. When requested by the board of a cerebral palsy treatment centre school or a crippled children's treatment centre school and with the approval of the Minister, by agreement, assume the assets and liabilities of such board and continue to operate such a school, and, upon the effective date of the agreement between the two boards, the board making the request is dissolved. ^{assumption of cerebral palsy and crippled children's treatment centres}

10. Section 35a of *The Schools Administration Act*, as enacted by section 3 of *The Schools Administration Amendment Act, 1962-63*, is repealed and the following substituted therefor: ^{R.S.O. 1960, c. 361, s. 35a (1962-63, c. 129, s. 3), re-enacted}

35a. In addition to any other remedy possessed by a board in territory without municipal organization for the recovery of rates imposed under the authority of *The Public Schools Act*, *The Separate Schools Act* or *The Secondary Schools and Boards of Education Act*, the board, with the approval of the public, separate or secondary school inspector, as the case may be, in writing signed by him, may bring an action in a court of competent jurisdiction for the recovery of any rates in arrear against the person assessed therefor. ^{Collection of rates in territory without municipal organization by action R.S.O. 1960, cc. 330, 368, 362}

11. *The Schools Administration Act* is amended by adding thereto the following section: ^{R.S.O. 1960, c. 361, amended}

35c.—(1) A board may enter into an agreement with the Crown in right of Canada for a period specified in the agreement to provide accommodation and tuition for the maximum number of Indian pupils agreed upon, and the fees therefor shall be as provided in subsection 1 of section 100a. ^{Agreements re accommodation for Indian pupils}

Idem

- (2) A board may enter into an agreement with the Crown in right of Canada for a period specified in the agreement to provide for a payment from the Crown in right of Canada to provide additional classroom accommodation and to provide tuition for a maximum of thirty-five Indian pupils for each additional classroom so provided, and the fees therefor shall be as provided in subsection 1 of section 100a, but exclusive of expenditures for the erection of school buildings for instructional purposes and additions thereto.

Appointed
representative of
Indian pupils

- (3) Where a board has entered into an agreement under this section, the board, on the recommendation of the council of the Indian band concerned, may appoint as a member of the board such person as it deems proper to represent the interests of the Indian pupils served by the board, and the person so appointed has all the powers and duties of a member of the board as though he were eligible and duly elected as a member of the board.

R.S.O. 1960,
c. 361, s. 37,
subs. 6
(1965,
c. 118, s. 6,
subs. 4),
amended

12.—(1) Subsection 6 of section 37 of *The Schools Administration Act*, as enacted by subsection 4 of section 6 of *The Schools Administration Amendment Act, 1965*, is amended by striking out "high" in the second line and inserting in lieu thereof "secondary".

R.S.O. 1960,
c. 361, s. 37,
subs. 7
(1966,
c. 140, s. 8),
amended

(2) Subsection 7 of the said section 37, as enacted by section 8 of *The Schools Administration Amendment Act, 1966*, is amended by striking out "high" in the second line and inserting in lieu thereof "secondary".

R.S.O. 1960,
c. 361, s. 37,
subs. 8
(1966,
c. 140, s. 8),
amended

(3) Subsection 8 of the said section 37, as enacted by section 8 of *The Schools Administration Amendment Act, 1966*, is amended by striking out "high" in the first line and in the seventh line and inserting in lieu thereof in each instance "secondary".

R.S.O. 1960,
c. 361, s. 37,
amended

(4) The said section 37, as amended by section 9 of *The Schools Administration Amendment Act, 1964*, section 6 of *The Schools Administration Amendment Act, 1965* and section 8 of *The Schools Administration Amendment Act, 1966*, is further amended by adding thereto the following subsection:

Boarding
and trans-
portation of
secondary
school pupils
in a
territorial
district
taking
"francais"
subject

- (9) Where a secondary school pupil resides in a territorial district in a secondary school district with his parent or guardian in a residence that is fifteen miles or more by road or rail from a secondary school in which the subject of French, taught as a subject for students

who

who normally speak the French language, is offered as one of the subjects of the courses of study, an elementary school board may reimburse the parent or guardian at the end of each month for the cost of providing for such pupil, when not so provided by the secondary school board, board, lodging and transportation once a week from his residence to school and return, in an amount not exceeding \$3 for each day of attendance as certified by the principal of the secondary school that the pupil attends, or may furnish transportation for such pupils in lieu thereof.

13. Section 39 of *The Schools Administration Act* is repealed and the following substituted therefor:

R.S.O. 1960,
c. 361, s. 39,
re-enacted

- 39.—(1) A board, by resolution, may establish a system of sick leave credit gratuities for employees or any class thereof provided that on the termination of his employment no employee is entitled to more than an amount equal to his salary, wages or other remuneration for one-half the number of days standing to his credit and in any event not in excess of the amount of one-half year's earnings at the rate received by him immediately prior to termination of employment.
- (2) Where an employee of a board that has established a sick leave credit plan under this or any other general or special Act becomes an employee of another board that has also established a sick leave credit plan under this or any other general or special Act, the latter board shall, subject to the limitation in subsection 4, place to the credit of the employee the sick leave credits standing to the credit of the employee in the plan of the first-mentioned board.
- (3) Where an employee of a municipality or a local board as defined in *The Department of Municipal Affairs Act*, except a school board, that has established a sick leave credit plan under any general or special Act becomes an employee of a board that has established a sick leave credit plan under this or any other general or special Act, the board shall, subject to the limitation in subsection 4, place to the credit of the employee the sick leave credits standing to the credit of the employee in the plan of such municipality or local board.
- (4) The amount of sick leave credits placed to the credit of an employee under subsection 2 or 3 shall not

Sick leave
credits

Allowing
of credits
on transfer
of employ-
ment

Idem
R.S.O. 1960,
c. 98

Limitation

exceed

exceed the amount of cumulative sick leave credits permitted under the plan to which the credits are placed.

Application
of subss. 2, 3,
where
intervening
employment

- (5) Subsections 2 and 3 apply only where the transfer of employment from a school board to another school board or from a municipality or a local board to a school board is made without intervening employment that interrupts the continuity of employment under which sick leave credits are accumulated.

R.S.O. 1960,
c. 361, s. 44a
(1966,
c. 140, s. 9),
amended

14. Section 44a of *The Schools Administration Act*, as enacted by section 9 of *The Schools Administration Amendment Act, 1966*, is amended by adding thereto the following subsection:

Resignation
to become
candidate
for some
other office

- (2) Notwithstanding subsection 1, where it is necessary for a trustee of a board to resign to become a candidate for some other office, he may resign by filing his resignation, including a statement that he is resigning for the purpose of becoming a candidate for some other office, with the secretary of the board, and the resignation shall become effective on the 31st day of December after it is so filed.

R.S.O. 1960,
c. 361, s. 50,
subss. 1-3,
re-enacted;
subss. 4,
repealed

15. Subsections 1, 2, 3 and 4 of section 50 of *The Schools Administration Act* are repealed and the following substituted therefor:

Disquali-
fication
by interest
in contract
with or
claim against
board

- (1) A person is not qualified to be elected as a trustee of a board or to act as a trustee of a board,
- (a) who, either himself or by or with or through another, has an interest in any contract with the board or with any person acting for the board or in any contract for the supply of goods or materials to a contractor for work for which the board pays or is liable directly or indirectly to pay or which is subject to the control or supervision of the board or of an officer of the board, or who has an unsatisfied claim for such goods or materials; or
- (b) who, either himself or by or with or through another, has any claim, action or proceeding against the board.

Disquali-
fication not
to apply
in certain
cases

- (2) Subsection 1 does not apply to a person by reason only,

(a)

- (a) of his being a shareholder in a corporation having dealings or a contract with the board, unless such person is a director, manager, secretary, treasurer, secretary-treasurer or agent or has a controlling interest in such corporation and, for the purpose of determining a controlling interest under this clause, when married persons are living together, the interest of one spouse, if known to the other, is deemed to be also an interest of the other spouse;
 - (b) of his being the proprietor of or otherwise interested in a newspaper or other periodical publication subscribed for by the board or in which an advertisement or notice is inserted in the regular course of business, if the subscription, advertisement or notice is paid for at the usual rate;
 - (c) of his being related by blood or marriage to a person employed by the board;
 - (d) of his being entitled to or receiving, on or after his retirement from employment or service with a board, a pension, retirement allowance, sick leave credit gratuity or any payment in respect of his employment or service with the board; or
 - (e) of his having an interest in a contract or proposed contract or other matter that he may have as a ratepayer or elector or as a user of any service supplied to him by the board in like manner and subject to the like conditions as are applicable in the case of persons who are not trustees.
- (3) If a trustee of a board in his own name or in that of another and alone or jointly with another enters into a contract with or makes a purchase from or a sale to the board, the contract, purchase or sale as against the board is voidable at the instance of the board or a ratepayer assessed to the support of the school or schools under the jurisdiction of the board.

Contracts
by trustees
with board
voidable

16. Subsection 3 of section 54 of *The Schools Administration Act*, as re-enacted by section 10 of *The Schools Administration Amendment Act, 1966*, is repealed.

R.S.O. 1960,
c. 361, s. 54
(1966,
c. 140, s. 10),
subs. 3,
repealed

R.S.O. 1960,
c. 361, Pt. V
(ss. 55-61),
repealed

17. Part V of *The Schools Administration Act*, as amended by sections 10 and 11 of *The Schools Administration Amendment Act, 1965* and section 11 of *The Schools Administration Amendment Act, 1966*, is repealed.

R.S.O. 1960,
c. 361, s. 65,
subs. 1,
amended

18. Subsection 1 of section 65 of *The Schools Administration Act* is amended by striking out "*The Public Schools Act* and" in the first and second lines, so that the subsection shall read as follows:

Board may
purchase or
expropriate
R.S.O. 1960,
c. 368

- (1) Subject to the provisions of *The Separate Schools Act* as to the selection of a site by a rural school board, every board may acquire by purchase or otherwise or may expropriate any land described in a resolution of the board declaring that the land is required for a school site or for the enlargement of a school site.

R.S.O. 1960,
c. 361, s. 65^a
(1965,
c. 118, s. 13),
amended

19. Section 65^a of *The Schools Administration Act*, as enacted by section 13 of *The Schools Administration Amendment Act, 1965*, is amended by striking out "but such property, so long as it is held by the board and is not situated in the school section or high school district in which the board has jurisdiction, is subject to municipal assessment and taxation in the municipality in which it is situated" in the sixth, seventh, eighth, ninth, tenth and eleventh lines, so that the section shall read as follows:

Purchase of
school site
in adjoining
section or
district

- 65^a. A public school board, board of education or secondary school board, with the approval of the Minister, may purchase a school site and purchase or build a school building thereon in an adjoining school section or high school district, as the case may be, for the purpose of operating a school therein.

R.S.O. 1960,
c. 361, s. 66^a
(1965,
c. 118, s. 14),
subs. 1,
amended

20. Subsection 1 of section 66^a of *The Schools Administration Act*, as enacted by section 14 of *The Schools Administration Amendment Act, 1965*, is amended by striking out "not exceeding 200 acres" in the fourth and fifth lines, so that the subsection shall read as follows:

Natural
science
schools

- (1) A board that had an average daily attendance of 10,000 or more in the preceding year in the schools under its jurisdiction may acquire by purchase or otherwise land in any municipality for the purpose of erecting a natural science school, and may build and operate such a school thereon.

R.S.O. 1960,
c. 361,
Part IX,
amended

21. Part IX of *The Schools Administration Act* is amended by adding thereto the following section:

99a.—(1) Where in a county a public school consultative committee and a secondary school consultative committee have been established, the council of the county may direct that the two committees be amalgamated to form a county educational consultative committee.

County
educational
consultative
committee

(2) Where in a territorial district a public school consultative committee and a secondary school consultative committee have been established, the Minister may direct that the two committees be amalgamated to form a district educational consultative committee.

District
educational
consultative
committee

(3) Every educational consultative committee formed under subsection 1 or 2 is, for public school purposes, a public school consultative committee and, for secondary school purposes, a secondary school consultative committee.

Committee
to be both
public and
secondary
school
consultative
committees

(4) The secretary of the public school consultative committee shall be the secretary and an adviser of the educational consultative committee and the district secondary school inspector shall be an adviser of the educational consultative committee.

Secretary
and advisers

(5) A member of an educational consultative committee who is a separate school supporter shall not vote on a motion that affects or relates to public schools exclusively.

Separate
school
supporter
not to vote
on public
school
matters

22. Subsections 1 and 2 of section 100a of *The Schools Administration Act*, as enacted by section 18 of *The Schools Administration Amendment Act, 1965*, are repealed and the following substituted therefor:

R.S.O. 1960,
c. 361,
s. 100a
(1965,
c. 118, s. 18),
subss. 1, 2,
re-enacted

(1) Where a board provides education for pupils whose fees are receivable from another board, from Canada or from Ontario, the fees shall be calculated by the use of the financial data and attendance in respect of elementary schools, academic courses in secondary schools or technical and commercial courses in vocational schools, as the case may be, for the year in which such education is provided,

Fees for
non-resident
pupils,
calculation

(a) by ascertaining the gross current expenditure for,

(i) maintenance of the schools under the jurisdiction of the board, excluding transportation, tuition fees and evening courses of study,

(ii)

- (ii) capital expenditures, from current funds, excluding the portion of the cost of a new school or an addition to a school building under a technical and vocational training agreement entered into by Canada and Ontario or an agreement entered into by a board and Ontario that was assumed and paid by Ontario, and
- (iii) debt charges;
- (b) by ascertaining the total gross revenue from all sources, excluding legislative grants, taxation, tuition fees and costs recoverable from Ontario;
- (c) by deducting the amount determined under clause *b* from the amount determined under clause *a*;
- (d) by ascertaining the perfect aggregate attendance of all pupils at the schools under the jurisdiction of the board;
- (e) by dividing the amount determined under clause *c* by the attendance determined under clause *d* to calculate the gross cost per pupil per day; and
- (f) by multiplying the perfect aggregate attendance of the pupils whose fees are the responsibility of another board, of Canada or of Ontario by the amount determined under clause *e* to ascertain the fees receivable,

provided that where Grades 9 and 10 are included in an elementary school, the fees in respect of kindergarten to Grade 8, inclusive, and in respect of Grades 9 and 10 may be calculated by the use of the financial data and attendance in respect of kindergarten to Grade 8, inclusive, or Grades 9 and 10, as the case may be.

Special
education
classes

- (2) Where a board provides instruction in a special education class for a pupil,
 - (a) whose fee is receivable from another board, from Canada or from Ontario, the fee shall be twice that calculated under subsection 1;

(b)

- (b) whose fee is receivable from the council of a municipality, the fee shall be twice that calculated under subsection 3; and
- (c) whose fee is receivable from a parent or guardian, the fee shall be such as the board may prescribe, but shall not exceed twice the fee calculated as provided in subsection 3, except that the financial data and attendance used in such calculation shall be in respect of the year preceding the year in which the pupil is enrolled.

23. Subsection 1 of section 111 of *The Schools Administration Act*, as enacted by section 12 of *The Schools Administration Amendment Act, 1964*, is repealed and the following substituted therefor:

R.S.O. 1960,
c. 361, s. 111
(1964,
c. 105, s. 12),
subs. 1,
re-enacted

- (1) Where in a municipality or in a municipality and an adjacent municipality there are resident at least ten retarded children whose parents are represented by a local association, the local association may request the council of the municipality to establish an Authority to operate a school or schools in the municipality or in the adjacent municipality for the education of retarded children, and, subject to the approval of the Minister, the council shall by by-law establish an Authority for such purpose.

Establish-
ment of
Authority

24. Section 117 of *The Schools Administration Act*, as enacted by section 12 of *The Schools Administration Amendment Act, 1964*, is amended by adding thereto the following subsection:

R.S.O. 1960,
c. 361, s. 117
(1964,
c. 105, s. 12),
amended

- (3) Where a retarded child is admitted to a school operated by an Authority but is resident on lands that are exempt from taxation for school purposes and that have been designated by the Minister as a rural school section for which a board has been appointed under subsection 1 of section 12 of *The Public Schools Act* or that have been designated a high school district for which a board has been appointed under subsection 4a of section 51 of *The Secondary Schools and Boards of Education Act*, the board shall pay to the Authority a tuition fee not exceeding the gross cost per child based on the average daily attendance of such school in the preceding year.

Admission
of child
resident
on exempt
lands

R.S.O. 1960,
cc. 330, 362

Commence-
ment

25.—(1) This Act, except sections 2, 3, 4, 5, 6, 7, 8, 15, 22 and 24, comes into force on the day it receives Royal Assent.

Idem

(2) Sections 22 and 24 shall be deemed to have come into force on the 1st day of September, 1967.

Idem

(3) Sections 2, 3, 4, 5, 6, 7, 8 and 15 come into force on the 1st day of January, 1968.

Short title

26. This Act may be cited as *The Schools Administration Amendment Act, 1967*.

CHAPTER 91

An Act to amend The Secondary Schools
and Boards of Education Act

Assented to June 15th, 1967
Session Prorogued June 15th, 1967

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) Subsection 1 of section 12 of *The Secondary Schools and Boards of Education Act* is amended by striking out “first being obtained” in the first and second lines, so that the subsection shall read as follows: R.S.O. 1960
c. 362, s. 12,
subs. 1,
amended

- (1) Subject to the approval of the Minister, the council of a county or the councils of two or more adjoining counties may by by-law establish the whole or any part of a municipality or the whole or parts of two or more adjoining municipalities situated within the county or counties as a new high school district, and the council of a county or the councils of two or more adjoining counties may in like manner discontinue any high school district already established within the county or counties and shall add the municipalities or parts of municipalities comprised in the district so discontinued to one or more other high school districts or include such municipalities or parts in one or more new high school districts. Establish-
ment and
discon-
tinuance of
districts

(2) Subsection 3 of the said section 12, as re-enacted by subsection 2 of section 2 of *The Secondary Schools and Boards of Education Amendment Act, 1965*, is amended by striking out “first being obtained” in the first and second lines, so that the subsection shall read as follows: R.S.O. 1960,
c. 362, s. 12,
subs. 3
(1965,
c. 119,
s. 2,
subs. 2),
amended

- (3) Subject to the approval of the Minister, the council of a municipality or the councils of two or more municipalities in a territorial district may pass by-laws establishing the whole or any part of the municipality or municipalities as a new high school district, and the council of a municipality or the councils of two or more municipalities in a territorial In territorial
districts

district

district may in like manner discontinue any high school district already established and shall add the municipalities or parts of municipalities comprised in the district so discontinued to one or more other high school districts or include such municipalities or parts in one or more new high school districts.

R.S.O. 1960,
c. 362, s. 20,
re-enacted

2. Section 20 of *The Secondary Schools and Boards of Education Act* is repealed and the following substituted therefor:

Time of
passing and
effective
date of
by-law

20. A by-law under section 11, subsection 1, 2, 3, 4 or 5 of section 12 or section 13 or 15 shall be passed on or before the 1st day of July in any year, and shall take effect on the 1st day of January next following its approval by the Minister or on such other date as is provided for in the by-law, which date may be the 1st day of January of the year in which the by-law is approved by the Minister.

R.S.O. 1960,
c. 362, s. 22,
amended

3.—(1) Section 22 of *The Secondary Schools and Boards of Education Act*, as amended by section 3 of *The Secondary Schools and Boards of Education Amendment Act, 1966*, is further amended by adding thereto the following subsections:

Where fewer
than five or
more than
nine trustees

(2a) Where the number of trustees determined under subsection 1 or 2 is fewer than five or more than nine, the Minister, on a request of a majority of the councils of the municipalities concerned, may determine the number of trustees to be appointed to the board, the municipality or municipalities to be represented by each trustee and their terms of office, and may provide for their appointment.

Interpre-
tation

(2b) The municipality or municipalities that have more than one-half of the assessment for secondary school purposes in the high school district, as shown by the last revised assessment roll, shall be deemed to be a majority for the purpose of subsection 2a.

R.S.O. 1960,
c. 362, s. 22,
subs. 5,
amended

(2) Subsection 5 of the said section 22 is amended by adding at the commencement thereof "Except where provided by a determination of the Minister under subsection 2a", so that the subsection shall read as follows:

Order of
retirement

(5) Except where provided by a determination of the Minister under subsection 2a, the council that has the power and duty of appointing high school trustees shall provide for the order of their retirement.

4. Subsection 4 of section 29 of *The Secondary Schools and Boards of Education Act* is repealed and the following substituted therefor: R.S.O. 1960,
c. 362, s. 29,
subs. 4,
re-enacted

- (4) Where an appointing body fails or is unable to ^{Idem} appoint a trustee as provided in subsection 2 or 3, it shall make the appointment at a subsequent meeting.

5. Clause *d* of subsection 1 of section 34 of *The Secondary Schools and Boards of Education Act*, as re-enacted by section 7 of *The Secondary Schools and Boards of Education Amendment Act, 1965*, is amended by striking out "v" in the fourth line, so that the clause shall read as follows: R.S.O. 1960,
c. 362, s. 34
(1965,
c. 119,
s. 7), subs. 1,
cl. d,
amended

- (*d*) may provide for expenditures for permanent improvements, provided that the total of expenditures for permanent improvements referred to in subparagraphs i, ii, iii and vii of paragraph 25 of subsection 2 of section 1 of *The Schools Administration Act* shall not exceed a sum calculated at two mills in the dollar upon the total assessment of the high school district according to the last revised assessment roll, and for further expenditures if such further expenditures are approved in the manner provided for approving debentures for permanent improvements. R.S.O. 1960,
c. 361

6. Subsection 2 of section 38 of *The Secondary Schools and Boards of Education Act* is amended by striking out "Subject to the approval of the Minister" in the first line, so that the subsection shall read as follows: R.S.O. 1960,
c. 362, s. 38,
subs. 2,
amended

- (2) The board has power to sell, convey, transfer or lease such property, or any part thereof, or any property otherwise acquired by the board, upon the adoption of a resolution by the board that the property is no longer required for high school purposes, and the proceeds of such sale, transfer or lease shall be applied for high school purposes. Power to
sell, lease,
etc.

7. Subsection 5 of section 46 of *The Secondary Schools and Boards of Education Act* is repealed and the following substituted therefor: R.S.O. 1960,
c. 362, s. 46,
subs. 5,
re-enacted

- (5) Subject to the approval of the Minister, the board, upon the recommendation of the committee, may appoint one or more officers with qualifications approved by the Minister to bring to the attention of employers and employees the work of the schools, Co-
ordinating
officers

and

and to make the necessary arrangements among employers, employees and the schools for the conduct of part-time or co-operative classes, and, in general, to act as a co-ordinating officer or officers between the local industries and the schools, and every person so appointed is subject to the control of the board.

R.S.O. 1960,
c. 362, s. 51,
subss. 1-3,
re-enacted

8.—(1) Subsections 1 and 2, and subsection 3, as amended by section 12 of *The Secondary Schools and Boards of Education Amendment Act, 1965*, of section 51 of *The Secondary Schools and Boards of Education Act* are repealed and the following substituted therefor:

Board in
district
comprising
one
municipality

- (1) Subject to the approval of the Minister, where a high school district does not extend beyond the limits of the municipality, the council of a city, town, village or township may pass a by-law establishing a board of education for the district.

Board in
district
comprising
more than
one
municipality

- (2) Subject to the approval of the Minister, where a high school district that includes two or more municipalities or parts thereof comprises the same area as one or more units of public school administration, the council of the county or the councils of the counties in which the high school district has been established,

- (a) shall, upon receipt of a resolution from the council of each of the municipalities within the district declaring that it is expedient to form a board of education for the district, pass a by-law establishing a board of education for the district; and

- (b) may, upon receipt of a resolution from a majority of the councils of the municipalities within the district declaring that it is expedient to form a board of education for the district, pass a by-law establishing a board of education for the district.

Board in
territorial
district

- (3) Subject to the approval of the Minister, where a high school district has been established by two or more municipalities in a territorial district, the councils of the municipalities may pass by-laws establishing a board of education for the high school district.

(2) Subsection 5 of the said section 51 is amended by striking out "notwithstanding that a union board of education exists for the district, or" in the second and third lines, so that the subsection shall read as follows: R.S.O. 1960, c. 362, s. 51, subs. 5, amended

(5) A by-law establishing a board of education may be passed notwithstanding that the by-law or by-laws establishing the high school district have not come into effect in which case no high school board shall be organized. By-law although district not in effect

(3) The said section 51 is amended by adding thereto the following subsection: R.S.O. 1960, c. 362, s. 51, amended

(6) A by-law under subsection 1, 2 or 3 shall be passed on or before the 1st day of July in any year, and shall take effect on the 1st day of January next following its approval by the Minister, except that for the election of trustees it shall take effect on the day it is approved by the Minister. Time of passing and effective date of by-laws

9. Clause *a* of subsection 1 of section 52 of *The Secondary Schools and Boards of Education Act* is amended by striking out "and where a union board of education exists for the district, it is dissolved" in the second, third and fourth lines, so that the clause shall read as follows: R.S.O. 1960, c. 362, s. 52, subs. 1, cl. a, amended

(a) the high school board and all public school boards in the high school district are dissolved.

10. *The Secondary Schools and Boards of Education Act* is amended by adding thereto the following section: R.S.O. 1960, c. 362, amended

55a.—(1) Where, under subsection 1 or 2 of section 55, the number of members is fewer than five or more than nine, the Minister, on a request of a majority of the councils of the municipalities concerned, may determine the number of members to be elected to the board, the municipality or municipalities to be represented by each member and their terms of office. Where fewer than five or more than nine members

(2) The municipality or municipalities that have more than one-half of the assessment for public school purposes in the high school district, as shown by the last revised assessment roll, shall be deemed to be a majority for the purpose of subsection 1. Interpretation

(3) Where the Minister determines that two or more municipalities or any part or parts thereof shall be combined for the purposes of the election of one or Election where Minister determines representation

more members, such member or members shall be elected by the general vote of the persons qualified to vote for public school trustees in such combined area, and,

- (a) the nominations for such members shall be conducted by the returning officer of the municipality having the greatest assessment for public school purposes in the combined area and shall be held at the same time and place as nominations for municipal councillors in that municipality;
- (b) the election of such members shall take place in each municipality during the same hours and on the same day as the annual municipal elections in the municipality in which the nominations were held in the same manner as nearly as may be as the election of municipal councillors; and
- (c) the clerk of each municipality shall be the returning officer for the vote to be recorded in his municipality and he shall report forthwith the vote recorded to the clerk of the municipality in which the nominations were held, who shall prepare the final summary and announcement of the vote and shall notify the board in writing of his determination.

County and
separate
school
appoint-
ments

- (4) In addition to the members elected under this section, an additional member or members may be appointed as provided in subsection 4 of section 55.

R.S.O. 1960,
c. 362, s. 61,
re-enacted

11. Section 61 of *The Secondary Schools and Boards of Education Act* is repealed and the following substituted therefor:

Dissolution
of board,
question
submitted
to electors

- 61.—(1) Where at a meeting of a board of education called for the purpose a majority of the members of the board vote in favour of the dissolution of the board, a copy of the resolution shall be submitted forthwith to the council of each municipality in which the board has jurisdiction with the request that the question "Are you in favour of dissolution of the board of education?" be submitted to a vote of the electors of the municipality who are qualified to vote for the elective members of the board.

- (2) The council shall at the next municipal election submit the question to a vote of the electors, and, if the question is answered in the affirmative by a majority of the electors voting thereon, the board of education is dissolved on the 31st day of December of the year in which the vote is taken and the elective members of the board of education who would have been members of the board if it had not been dissolved shall form the board of the public school section in which the board of education had jurisdiction until new trustees are elected in accordance with the provisions of this Act respecting the first election of such trustees and a new board is organized, and a board shall be established for the high school district in which the board of education had jurisdiction, and the provisions of Part II apply with respect to the appointment of high school trustees.
- Board dissolved upon affirmative vote, establishment of high school and public school boards
- (3) Where a board of education is dissolved under subsection 2, a high school board and a public school board shall be established for the area in which the board of education had jurisdiction, and the provisions of Part II and *The Public Schools Act* apply with respect to the appointment of high school trustees and the election of public school trustees respectively.
- High school and public school boards established
R.S.O. 1960, c. 330
- (4) Upon the dissolution of a board of education under subsection 2, all the assets and liabilities of the board that are attributable to high school purposes and all the assets and liabilities of the board that are attributable to public school purposes become assets and liabilities of the high school board and the public school board established under subsection 3, as the case may be.
- Disposition of assets and liabilities
- (5) Where, by reason of the dissolution or alteration of a high school district or school section under the jurisdiction of a board of education, the boundaries of the high school district and school section are no longer coterminous, the board of education is dissolved and all the assets and liabilities of the board attributable to high school purposes and all the assets and liabilities of the board attributable to public school purposes become assets and liabilities of the high school board or boards and public school board or boards that have jurisdiction in all or part of the high school district or school section dissolved or enlarged, as the case may be.
- Dissolution of board where boundaries no longer coterminous, division of assets and liabilities

Dispute re
division
of assets
and
liabilities

- (6) In the event of a dispute as to the division of the assets and liabilities of a board of education between high school purposes and public school purposes, where only one municipality is concerned, the division shall be made by the council of the municipality, whose decision is final, and, where more than one municipality is concerned, the council of each municipality all or part of which was included in the high school district under the jurisdiction of the board of education shall appoint one arbitrator, and the arbitrators, together with the county judge, shall make such division, and the council or arbitrators, as the case may be, shall determine the amount of money, if any, to be paid by a board or municipality to any other board or municipality and the manner in which the payment, in each case, shall be made.

R.S.O. 1960,
c. 362, s. 65
(1964,
c. 106, s. 14),
subs. 1,
re-enacted;
subss. 2-5,
repealed

- 12.** Subsections 1, 2, 3, 4 and 5 of section 65 of *The Secondary Schools and Boards of Education Act*, as re-enacted by section 14 of *The Secondary Schools and Boards of Education Amendment Act, 1964*, are repealed and the following substituted therefor:

Declaring
schools
open

- (1) The board of a secondary school district may by resolution or by-law declare all or any of its schools open to the resident pupils of any secondary school district.

R.S.O. 1960,
c. 362, s. 68
(1964,
c. 106, s. 15),
subs. 2, cl. b,
repealed

- 13.**—(1) Clause *b* of subsection 2 of section 68 of *The Secondary Schools and Boards of Education Act*, as re-enacted by section 15 of *The Secondary Schools and Boards of Education Amendment Act, 1964*, is repealed.

R.S.O. 1960,
c. 362, s. 68
(1964,
c. 106, s. 15),
subs. 2, cl. c,
amended

- (2) Clause *c* of subsection 2 of the said section 68 is amended by striking out “under the re-organized programmes of study” in the first and second lines and by striking out “diversified” in the fifth line, so that the clause shall read as follows:

- (*c*) to take either the four-year or two-year programme of the business and commerce branch or of the science, technology and trades branch, or the occupational programme, if the programme is not available in the secondary school district in which he is resident.

R.S.O. 1960,
c. 362, s. 68
(1964,
c. 106, s. 15),
subs. 2, cl. d,
amended

- (3) Clause *d* of subsection 2 of the said section 68 is amended by striking out “under the re-organized programmes of study” in the first and second lines, so that the clause shall read as follows:

(*d*)

- (d) to take a course of study in either the four-year programme of the business and commerce branch or the four-year programme of the science, technology and trades branch, leading to a type of secondary school graduation diploma that is not available in the secondary school district in which he is resident.

(4) Clause *e* of subsection 2 of the said section 68 is amended by striking out "under the continuing programmes of study or the re-organized programmes of study" in the first, second and third lines, so that the clause shall read as follows:

R.S.O. 1960,
c. 362, s. 68
(1964,
c. 106, s. 15),
subs. 2, cl. *e*,
amended

- (e) to take a special one-year course in business, commercial work, technical subjects, home economics or vocational art, leading to a secondary school graduation diploma in the special field, if the course is not available in the secondary school district in which he is resident.

(5) Subsection 3 of the said section 68 is repealed and the following substituted therefor:

R.S.O. 1960,
c. 362, s. 68
(1964,
c. 106, s. 15),
subs. 3,
re-enacted

- (3) Subsection 2 applies to a resident pupil of a secondary school district in a county only if,

Restrictions

- (a) the school has been declared open to such a pupil; and

- (b) the inspector of the school certifies that there is adequate accommodation for the pupil in the school.

(6) Subsection 6 of the said section 68 is repealed and the following substituted therefor:

R.S.O. 1960,
c. 362, s. 68
(1964,
c. 106, s. 15),
subs. 6,
re-enacted

- (6) Clauses *c*, *d*, *e*, *f* and *g* of subsection 2 do not apply to a resident pupil of a secondary school district if the board of the secondary school district has entered into an agreement with another secondary school board under subsection 2 of section 30 or under section 66 and the courses and subjects referred to in such clauses are offered in the schools covered by the agreement.

Where
agreement
between
boards

14.—(1) Subsection 1 of section 76 of *The Secondary Schools and Boards of Education Act*, as amended by subsection 1 of section 10 of *The Secondary Schools and Boards of Education Amendment Act, 1966*, is repealed and the following substituted therefor:

R.S.O. 1960,
c. 362, s. 76,
subs. 1,
re-enacted

Secondary
school
consultative
committee

- (1) The council of a county may establish a secondary school consultative committee of three persons appointed by the council, and a public school inspector, designated by the Minister, shall be secretary of and adviser to the committee, and the district secondary school inspector shall be an adviser to the committee, but the inspectors are not entitled to vote as members of the committee.

R.S.O. 1960,
c. 362, s. 76,
amended

- (2) The said section 76 is amended by adding thereto the following subsection:

Expenses

- (6) A county may reimburse the members of the committee for their actual expenses incurred on business of the committee.

R.S.O. 1960,
c. 362, s. 77,
subs. 1,
re-enacted

- 15.**—(1) Subsection 1 of section 77 of *The Secondary Schools and Boards of Education Act* is repealed and the following substituted therefor:

Consulta-
tive com-
mittee in
territorial
district

- (1) The Minister may establish in a territorial district one or more secondary school consultative committees which, subject to subsection 2, shall be composed of three persons appointed by the Minister, and a public school inspector, designated by the Minister, shall be secretary of and adviser to the committee, and the district secondary school inspector shall be an adviser to the committee, but the inspectors are not entitled to vote as members of the committee.

R.S.O. 1960,
c. 362, s. 77,
subss. 6, 7,
re-enacted

- (2) Subsections 6 and 7 of the said section 77 are repealed and the following substituted therefor:

Expenses

- (6) The actual expenses incurred on business of the committee by members of the committee appointed by the Minister shall be paid out of such moneys as may be appropriated therefor by the Legislature.

Idem

- (7) The actual expenses incurred on business of the committee by a member of the committee appointed by the council of a municipality shall be paid by the municipality.

R.S.O. 1960,
c. 362,
amended

- 16.** *The Secondary Schools and Boards of Education Act* is amended by adding thereto the following section:

Application
of
R.S.O. 1960,
c. 330,
ss. 78, 81

80. Sections 78 and 81 of *The Public Schools Act* apply *mutatis mutandis* to a by-law of a municipality or county for forming, altering or dissolving a high

school

school district or establishing a board of education and an award made by arbitrators in relation thereto.

17.—(1) This Act, except sections 1 and 2, comes into ^{Commence-}_{ment} force on the day it receives Royal Assent.

(2) Sections 1 and 2 shall be deemed to have come into ^{Idem} force on the 1st day of January, 1967.

18. This Act may be cited as *The Secondary Schools and* ^{Short title}
Boards of Education Amendment Act, 1967.

CHAPTER 92

An Act to amend The Securities Act, 1966

*Assented to March 22nd, 1967
Session Prorogued June 15th, 1967*

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) Subsection 1 of section 61 of *The Securities Act*, 1966, c. 142, s. 61, 1966, c. 142, s. 61, subs. 1, amended is amended by striking out “or” at the end of clause *d*, by adding “or” at the end of clause *e* and by adding thereto the following clause:

(f) in the case of a prospectus filed by a finance company,

(i) the plan of distribution of the securities offered is not acceptable to the Director,

(ii) the securities offered are not secured in such manner, on such terms and by such means as are required by the regulations, or

(iii) such finance company does not meet such financial and other requirements and conditions as are specified in the regulations.

(2) The said section 61 is amended by adding thereto the following subsection: 1966, c. 142, s. 61, amended

(3) The Lieutenant Governor in Council may make such Regulations regulations as he considers necessary or appropriate in the public interest pertaining to the matters referred to in clause *f* of subsection 1 and, without limiting the generality of the foregoing, pertaining to requirements as to paid up capital and surplus, liquidity of assets, ratios of debt to paid up capital and surplus, audit procedures, the furnishing of interim financial statements and the provisions of trust indentures and the qualifications, rights, duties and obligations of trustees thereunder.

1966,
c. 142,
amended

2. *The Securities Act, 1966* is amended by adding thereto the following section:

Additional
information,
finance
companies

62a.—(1) While primary distribution to the public of the securities to which the prospectus of a finance company relates is in progress, the Director may from time to time require the finance company to furnish to him a statement of source and application of funds or of cash receipts and disbursements in such form and for such period or periods as he may specify and such other information as may enable the Director to satisfy himself that,

- (i) the securities are being distributed in a manner acceptable to him,
- (ii) the securities are secured in such manner, on such terms and by such means as are required by the regulations, and
- (iii) as at such date as may be acceptable to the Director the finance company met such financial and other requirements and conditions as are specified in the regulations.

Orders to
cease
trading

(2) Where the Director reports to the Commission that he is not satisfied with any statement or as to any matter referred to in subsection 1, the Commission may order that all trading in the primary distribution to the public of the securities to which the prospectus of the finance company relates shall cease and in any such case subsections 2 and 3 of section 62 apply as if the order were made under that section.

1966,
c. 142,
s. 144,
cl. a,
re-enacted

3. Clause *a* of section 144 of *The Securities Act, 1966* is repealed and the following substituted therefor:

(a) prescribing categories for companies and the manner of allocating companies to categories, and prescribing the form and content of prospectuses and statements of material facts to be filed with the Commission by companies in accordance with their categories.

Commence-
ment

4. This Act comes into force on a day to be named by the Lieutenant Governor by his proclamation.

Short title

5. This Act may be cited as *The Securities Amendment Act, 1967*.

CHAPTER 93

An Act to amend The Separate Schools Act

Assented to June 15th, 1967
Session Prorogued June 15th, 1967

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) Section 32 of *The Separate Schools Act*, as amended by section 4 of *The Separate Schools Amendment Act, 1961-62*, subsections 1 and 3 of section 5 of *The Separate Schools Amendment Act, 1962-63*, section 6 of *The Separate Schools Amendment Act, 1965* and section 5 of *The Separate Schools Amendment Act, 1966*, is further amended by adding thereto the following subsection:

(1b) When a combined separate school becomes one school for all Roman Catholic separate school purposes, the board of each school forming part of the union is dissolved, and all the real and personal property vested in such board is vested in the board of the combined separate school. Dissolution of boards

(2) Subsection 2 of the said section 32, as re-enacted by subsection 1 of section 6 of *The Separate Schools Amendment Act, 1965*, is repealed and the following substituted therefor: R.S.O. 1960, c. 368, s. 32, subs. 2 (1965, c. 122, s. 6, subs. 1), re-enacted

(2) The trustees of a combined separate school are a corporation by the name of "The Board of the Combined Roman Catholic Separate Schools of" (in the case of a combined separate school zone including one or more urban municipalities, insert in order of population, commencing with the municipality having the greatest population, the names of the urban municipalities and, in alphabetical order, the township municipalities and geographic townships in which the Board has one or more centres and the names of rural zones in unsurveyed territory but, where an urban municipality has a population of 2,000 or more, the names of the municipalities having a population of less than 2,000 Corporate name

may

may be omitted and, in the case of a combined separate school zone that does not include an urban municipality, insert in alphabetical order the names of the township municipalities and geographic townships in which the Board has one or more centres and the names of rural zones in unsurveyed territory and, where the centres of two or more combined separate school zones are located in the same municipality or geographic township, a number shall be assigned by the inspector).

R.S.O. 1960,
c. 368, s. 32,
subs. 2a
(1961-62,
c. 132, s. 4,
subs. 1),
re-enacted

(3) Subsection 2a of the said section 32, as enacted by subsection 1 of section 4 of *The Separate Schools Amendment Act, 1961-62* and amended by subsection 2 of section 5 of *The Separate Schools Amendment Act, 1966*, is repealed and the following substituted therefor:

First
trustees

(2a) For the purpose of electing the first trustees for a combined separate school, the boards of the separate schools forming the combined separate school shall, before the 1st day of December, each appoint a person to a committee, which shall arrange for the election of trustees in accordance with section 27 or 38 and may pass a resolution adopting municipal elections under section 39.

R.S.O. 1960,
c. 368, s. 32,
subs. 2b
(1966,
c. 143, s. 5,
subs. 3),
amended

(4) Subsection 2b of the said section 32, as enacted by subsection 3 of section 5 of *The Separate Schools Amendment Act, 1966*, is amended by striking out "subsection 6" in the sixth line and inserting in lieu thereof "subsections 6 and 6a", so that the subsection shall read as follows:

Trustees

(2b) Where a combined separate school is formed or where another separate school is added to or detached from a combined separate school, the trustees in office shall retire on the 1st day of January following the election of trustees of the combined separate school, and, subject to subsections 6 and 6a, five trustees shall be elected by the supporters of the newly-created or altered combined separate school as provided in section 27.

R.S.O. 1960,
c. 368, s. 32,
amended

(5) The said section 32 is further amended by adding thereto the following subsections:

Resolution
providing
for
trustees

(6a) Notwithstanding subsections 2b and 6, the board of a combined separate school may be composed of such number of trustees, not fewer than five or more than thirteen, representing such municipalities or parts thereof, or separate school zones in territory without municipal organization, within the combined

separate school zone as is provided for in a resolution passed by the board, or, in the case of a newly-formed combined separate school, by the committee formed under subsection 2a, and the board of the combined separate school zone shall be deemed to be an urban separate school board.

- (6b) Where a resolution is passed under subsection 6a, ^{Election and term of office} the trustees shall be elected at large in the areas within the combined separate school zone that they respectively represent, and sections 38, 39 and 40 apply *mutatis mutandis*, provided that, where a municipality is divided into wards, the resolution may provide for representation by wards, and the trustees shall hold office for such terms as the resolution prescribes.
- (6c) Where one or more trustees represent two or more municipalities or parts thereof, or two or more municipalities or parts thereof and one or more separate school zones in territory without municipal organization and a resolution is passed adopting municipal elections under section 39, the resolution shall state in which municipality the vote is to be conducted, and the clerk of each other municipality or part thereof and the secretary of each separate school zone that is represented by the same trustee or trustees shall furnish to the clerk of the municipality in which the vote is to be conducted a list of voters of the municipality or part or zone indicating the names of all persons thereon who are separate school supporters. ^{Voters' list for areas in combined zone}
- (6d) The board or committee that passes a resolution under subsection 6a shall forthwith send a copy thereof to the Minister. ^{Copy of resolution to be sent to Minister}

2. Subsection 3 of section 32a of *The Separate Schools Act*, ^{R.S.O. 1960, c. 368, s. 32a} as enacted by section 5 of *The Separate Schools Amendment Act, 1961-62* and amended by section 4 of *The Separate Schools Amendment Act, 1964*, ^{(1961-62, c. 132, s. 5), subs. 3, amended} is further amended by adding at the end thereof "or 38, as the case may be", so that the subsection shall read as follows:

- (3) If, before the 1st day of July in any year, a majority ^{When school detached} of the supporters who are entitled to vote on the question vote in favour of detaching the school, it is detached on the 1st day of January of the following year, except that, for the purposes of the election of trustees, it shall be deemed to be detached on the

day of nomination for trustees, and the requisite number of trustees of the separate school so detached shall be elected as provided in section 27 or 38, as the case may be.

R.S.O. 1960,
c. 368, s. 35
(1960-61,
c. 94, s. 4),
subs. 2,
amended

3.—(1) Subsection 2 of section 35 of *The Separate Schools Act*, as re-enacted by section 4 of *The Separate Schools Amendment Act, 1960-61*, is amended by striking out “on the assessment roll” in the third line and inserting in lieu thereof “by the municipal census”, so that the subsection, exclusive of the clauses, shall read as follows:

Number of
trustees

(2) The number of the trustees on the urban separate school board shall be determined by the population of the municipality as shown by the municipal census for the year preceding the year in which the election is held, as follows, where the population was,

.

R.S.O. 1960,
c. 368, s. 35
(1960-61,
c. 94, s. 4),
subs. 3,
amended

(2) Subsection 3 of the said section 35 is amended by striking out “assessment roll” in the first line and inserting in lieu thereof “census”, so that the subsection shall read as follows:

Change in
number of
trustees

(3) Where it becomes evident from the census of a municipality that the number of trustees on an urban separate school board should be increased or decreased, at the next election of trustees the proper number of trustees shall be elected, and the trustees then in office shall continue in office until the new board is elected.

R.S.O. 1960,
c. 368, s. 36c
(1960-61,
c. 94, s. 4),
repealed

4. Section 36c of *The Separate Schools Act*, as enacted by section 4 of *The Separate Schools Amendment Act, 1960-61*, is repealed.

R.S.O. 1960,
c. 368, s. 48
(1962-63,
c. 132, s. 8),
subs. 5,
amended

5.—(1) Subsection 5 of section 48 of *The Separate Schools Act*, as re-enacted by section 8 of *The Separate Schools Amendment Act, 1962-63*, is amended by inserting after “concerned” in the seventh line “and the secretaries of boards of public school sections affected in territory without municipal organization”, so that the subsection shall read as follows:

Centre
where board
does not
operate
school or
own site

(5) Where a board does not operate a separate school or own a parcel of land, a parcel of land approved by the supporters for the purpose of determining the centre of the zone shall be deemed to be the site of a separate school for such purpose, and the board shall

notify

notify the Minister and the clerks of the municipalities concerned and the secretaries of boards of public school sections affected in territory without municipal organization before the 30th day of September of the year in which the parcel was so approved.

(2) Subclause ii of clause *e* of subsection 11 of the said section 48, as enacted by section 8 of *The Separate Schools Amendment Act, 1962-63* and amended by section 9 of *The Separate Schools Amendment Act, 1966*, is repealed and the following substituted therefor:

R.S.O. 1960,
c. 368, s. 48
(1962-63,
c. 132, s. 8),
subs. 11,
cl. *e*,
subcl. ii,
re-enacted

- (ii) to the township clerk and assessor or assessment commissioner, a map showing the zone boundaries and a description of each zone, and

.

6. Subsection 2 of section 62 of *The Separate Schools Act*, as re-enacted by section 11 of *The Separate Schools Amendment Act, 1965*, is amended by striking out "on the warrant of the proper inspector" in the seventh line, so that the subsection shall read as follows:

R.S.O. 1960,
c. 368, s. 62,
subs. 2
(1965,
c. 122, s. 11),
amended

- (2) Any expenses attending the assessment, collection or payment of school rates by the municipal corporation shall be borne by the corporation, and the rates and taxes collected for separate school purposes shall be paid by the corporation to the treasurer of the board from time to time as may be required by the board and in any event not later than the 15th day of December in the year in which the rates are levied.

Expenses of
collection

7. This Act comes into force on the day it receives Royal Assent.

Commence-
ment

8. This Act may be cited as *The Separate Schools Amendment Act, 1967*.

Short title

CHAPTER 94

**An Act to amend
The Short Forms of Mortgages Act**

*Assented to June 15th, 1967
Session Prorogued June 15th, 1967*

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Clause *a* of section 1 of *The Short Forms of Mortgages Act* <sup>R.S.O. 1960,
c. 374, s. 1,
cl. *a*,
amended</sup> is amended by inserting after "freehold" in the first line "or leasehold", so that the clause shall read as follows:

(a) "land" includes freehold or leasehold tenements and hereditaments, whether corporeal or incorporeal, and any undivided part or share therein.

2. This Act comes into force on the day it receives Royal <sup>Commence-
ment</sup> Assent.

3. This Act may be cited as *The Short Forms of Mortgages* ^{Short title} *Amendment Act, 1967*.

CHAPTER 95

**An Act to amend
The Summary Convictions Act**

*Assented to June 15th, 1967
Session Prorogued June 15th, 1967*

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Section 7 of *The Summary Convictions Act* is amended by adding thereto the following subsection: R.S.O. 1960, c. 387, s. 7, amended

(6a) Delivery of a traffic ticket summons under subsection 6 may be made on a holiday. Delivery on holiday

2. This Act comes into force on the day it receives Royal Assent. Commencement

3. This Act may be cited as *The Summary Convictions Amendment Act, 1967*. Short title

CHAPTER 96

An Act for granting to Her Majesty certain sums of money for the Public Service for the fiscal years ending the 31st day of March, 1967, and the 31st day of March, 1968

*Assented to June 15th, 1967
Session Prorogued June 15th, 1967*

MOST GRACIOUS SOVEREIGN:

WHEREAS it appears by messages from the Honourable William Earl Rowe, Lieutenant Governor of the Province of Ontario, and the estimates accompanying the same, that the sums mentioned in the schedules to this Act are required to defray certain expenses of the public service of this Province, not otherwise provided for, for the fiscal year ending the 31st day of March, 1967, and for the fiscal year ending the 31st day of March, 1968, and for other purposes connected with the public service; may it therefore please Your Majesty that it be enacted and it is hereby enacted by the Queen's Most Excellent Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, as follows:

1. In addition to the sum of \$1,840,626,500 granted by *The Supply Act, 1966*, there may be paid out of the Consolidated Revenue Fund a sum not exceeding in the whole \$9,905,400 to be applied towards defraying the several charges and expenses of the public service, not otherwise provided for, from the 1st day of April, 1966, to the 31st day of March, 1967, as set forth in Schedule A to this Act, and such sum shall be paid and applied only in accordance with the votes and items of the supplementary estimates upon which such schedule is based.

\$9,905,400
granted for
fiscal year
1966-67
1966, c. 151

2. There may be paid out of the Consolidated Revenue Fund a sum not exceeding in the whole \$2,382,985,500 to be applied towards defraying the several charges and expenses of the public service, not otherwise provided for, from the 1st day of April, 1967, to the 31st day of March, 1968, as set forth in Schedule B to this Act, and such sum shall be paid and applied only in accordance with the votes and items of the estimates upon which such schedule is based.

\$2,382,985,500
granted for
fiscal year
1967-68

Accounting
for
expenditure

3. The due application of all moneys expended under this Act shall be accounted for to Her Majesty.

Commence-
ment

4. This Act comes into force on the day it receives Royal Assent.

Short title

5. This Act may be cited as *The Supply Act, 1967*.

SCHEDULE A

Department of Energy and Resources Management.....	\$ 1,194,400
Department of Health.....	8,711,000
	<hr/>
	\$ 9,905,400
	<hr/>

SCHEDULE B

Department of Agriculture and Food.....	\$ 43,487,000
Department of Attorney General.....	55,135,000
Department of Civil Service.....	1,780,000
Department of Economics and Development..	34,347,000
Department of Education.....	646,906,000
Department of Energy and Resources Management.....	98,680,000
Department of Financial and Commercial Affairs.....	2,551,000
Department of Health.....	358,720,000
Department of Highways.....	405,737,000
Department of Labour.....	25,632,000
Department of Lands and Forests.....	48,188,000
Office of the Lieutenant Governor.....	37,000
Department of Mines.....	4,362,000
Department of Municipal Affairs.....	81,156,000
Department of the Prime Minister.....	275,000
Office of the Provincial Auditor.....	679,000
Department of the Provincial Secretary and Citizenship.....	6,164,500
Department of Public Works.....	71,151,000
Department of Reform Institutions.....	30,218,000
Department of Social and Family Services....	207,522,000
Department of Tourism and Information....	10,515,000
Department of Transport.....	11,135,000
Treasury Department.....	24,546,000
Department of University Affairs.....	214,062,000
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	\$ 2,382,985,500
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CHAPTER 97

An Act to amend The Surrogate Courts Act

Assented to June 15th, 1967
Session Prorogued June 15th, 1967

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Section 8 of *The Surrogate Courts Act* is amended by adding thereto the following subsection: R.S.O. 1960,
c. 388, s. 8,
amended

(4) Where the judge or junior judge of a county or district court is also the judge or junior judge of a surrogate court, there shall be paid out of the Consolidated Revenue Fund, Allowances
where
a county
court judge
also
surrogate
court judge

(a) where the judge is the chief judge of the county or district courts, an allowance at the rate of \$7,000 per annum;

(b) where the judge is a judge of the county court of the County of York, an allowance at the rate of \$4,500 per annum;

(c) where the judge is a judge of any other county or district court or a junior judge of a county or district court or a judge for the county and district courts of the counties and districts of Ontario, an allowance at the rate of \$3,500 per annum.

2. This Act comes into force on the day it receives Royal Assent. Commence-
ment

3. This Act may be cited as *The Surrogate Courts Amendment Act, 1967*. Short title

CHAPTER 98

An Act to amend The Surveys Act

*Assented to March 22nd, 1967
Session Prorogued June 15th, 1967*

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Section 60 of *The Surveys Act* is amended by adding thereto the following clause: R.S.O. 1960,
c. 390, s. 60,
amended

(aa) establishing, governing and regulating systems of co-ordinate surveys.

2. This Act comes into force on the day it receives Royal Assent. Commence-
ment

3. This Act may be cited as *The Surveys Amendment Act*, Short title 1967.

CHAPTER 99

An Act to amend The Teachers' Superannuation Act

*Assented to June 15th, 1967
Session Prorogued June 15th, 1967*

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) Section 17*b* of *The Teachers' Superannuation Act*,^{R.S.O. 1960, c. 392, s. 17*b*} as enacted by section 7 of *The Teachers' Superannuation Amendment Act, 1966*,^{(1966, c. 152, s. 7), amended} is amended by adding thereto the following subsection:

- (3*a*) Every person now or hereafter on the staff of a C.A.A.T. college of applied arts and technology or the Ontario Council of Regents for Colleges of Applied Arts and Technology on the 1st day of July, 1966, who is eligible to contribute to the Fund shall, within three months after this section comes into force or within three months after joining such staff, whichever is the later, by notice in writing to the Commission and to the college or Council, as the case may be, elect to contribute to the Fund or to the retirement pension plan of the colleges.

(2) Subsection 4 of the said section 17*b* is amended by striking out "or 3" in the first line and inserting in lieu thereof "3 or 3*a*", so that the subsection shall read as follows:^{R.S.O. 1960, c. 392, s. 17*b* (1966, c. 152, s. 7), subs. 4, amended}

- (4) A person to whom subsection 1, 2, 3 or 3*a* applies shall not have any other right of election and, if he fails to exercise his right of election thereunder, he shall be deemed to have elected to contribute to the Fund.^{No other election}

2. Section 27 of *The Teachers' Superannuation Act*, as amended by section 13 of *The Teachers' Superannuation Amendment Act, 1966*,^{R.S.O. 1960, c. 392, s. 27, amended} is further amended by adding thereto the following subsection:

(2*a*)

Idem (2a) Where a person ceased to be employed after having attained the age of sixty-two years and before he has attained the age at which he could become eligible for a benefit under the Canada Pension Plan, the reduction mentioned in subsection 2 of section 25 does not apply until the first day of the month following the month in which he attains such age.

R.S.O. 1960,
c. 392, s. 53,
repealed **3.** Section 53 of *The Teachers' Superannuation Act*, as amended by section 28 of *The Teachers' Superannuation Amendment Act, 1966*, is repealed.

R.S.O. 1960,
c. 392,
amended **4.** *The Teachers' Superannuation Act* is amended by adding thereto the following section:

Transfer
agreements 60. Subject to the approval of the Lieutenant Governor in Council, the Commission may enter into agreements with the Government of Canada or the government of any province of Canada or any agency of any of them respecting the terms and conditions upon which persons may transfer to or from the Fund from or to a similar fund of the Government of Canada, the government of any province of Canada or any agency of any of them.

Commence-
ment **5.**—(1) This Act, except sections 2 and 3, comes into force on the day it receives Royal Assent.

Idem (2) Section 2 shall be deemed to have come into force on the 1st day of January, 1967.

Idem (3) Section 3 comes into force on the 31st day of August, 1967.

Short title **6.** This Act may be cited as *The Teachers' Superannuation Amendment Act, 1967*.

CHAPTER 100

An Act to amend The Teaching Profession Act

Assented to June 15th, 1967
Session Prorogued June 15th, 1967

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Clause *h* of section 1 of *The Teaching Profession Act* is repealed and the following substituted therefor:

R.S.O. 1960,
c. 393, s. 1,
cl. *h*,
re-enacted

(*h*) "teacher" means a person who is legally qualified to teach in an elementary or secondary school and is under contract in accordance with Parts II and III of *The Schools Administration Act* but does not include an inspector, an instructor in a teacher-training institution or a person employed to teach in a school for a period not exceeding one month.

R.S.O. 1960,
c. 361

2. Section 4 of *The Teaching Profession Act* is amended by adding thereto the following subsection:

R.S.O. 1960,
c. 393, s. 4,
amended

(3) Every person who was a member of the Federation upon retirement and who is receiving a pension or an allowance under *The Teachers' Superannuation Act* may, on request, be an associate member of the Federation.

Persons
receiving
pension
under
R.S.O. 1960,
c. 392

3. This Act comes into force on the day it receives Royal Assent.

Commence-
ment

4. This Act may be cited as *The Teaching Profession Amendment Act, 1967*.

Short title

CHAPTER 101

An Act to amend The Territorial Division Act

Assented to June 15th, 1967
Session Prorogued June 15th, 1967

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) Clause *b* of paragraph 8 of section 1 of *The Territorial Division Act* is amended by striking out “Ojibway” in the second line. R.S.O. 1960,
c. 395, s. 1,
par. 8, cl. *b*,
amended

(2) Clause *c* of paragraph 8 of the said section 1 is repealed. R.S.O. 1960,
c. 395, s. 1,
par. 8, cl. *c*,
repealed

(3) Clause *e* of paragraph 8 of the said section 1 is amended by striking out “Sandwich East” in the second column. R.S.O. 1960,
c. 395, s. 1,
par. 8, cl. *e*,
amended

(4) Clause *c* of paragraph 21 of the said section 1 is amended by striking out “Camden” in the first column and inserting in lieu thereof “Camden East”. R.S.O. 1960,
c. 395, s. 1,
par. 21, cl. *c*,
amended

(5) Clause *c* of paragraph 29 of the said section 1 is repealed and the following substituted therefor: R.S.O. 1960,
c. 395, s. 1,
par. 29, cl. *c*,
re-enacted

(*c*) the separated Town of St. Marys.

(6) Clause *b* of paragraph 38 of the said section 1 is amended by inserting after “Hespeler” in the first line “New Hamburg”. R.S.O. 1960,
c. 395, s. 1,
par. 38, cl. *b*,
amended

(7) Clause *c* of paragraph 38 of the said section 1, as amended by subsection 16 of section 1 of *The Territorial Division Amendment Act, 1964*, is further amended by striking out “New Hamburg”. R.S.O. 1960,
c. 395, s. 1,
par. 38, cl. *c*,
amended

(8) Clause *a* of paragraph 39 of the said section 1 is amended by inserting after “Niagara Falls” in the first line “Port Colborne”. R.S.O. 1960,
c. 395, s. 1,
par. 39, cl. *a*,
amended

(9) Clause *b* of paragraph 39 of the said section 1 is amended by striking out “Port Colborne”. R.S.O. 1960,
c. 395, s. 1,
par. 39, cl. *b*,
amended

(10) Clauses *c*, *e* and *f* of paragraph 42 of the said section 1 are repealed and the following substituted therefor: R.S.O. 1960,
c. 395, s. 1,
par. 42,
cls. *c*, *e*,
repealed;
cl. *f*,
re-enacted

(*f*)

(f) the boroughs of East York, Etobicoke, North York, Scarborough, York.

R.S.O. 1960,
c. 395, s. 1,
par. 44, cl. d,
amended

(11) Clause *d* of paragraph 44 of the said section 1, as amended by subsection 4 of section 1 of *The Territorial Division Amendment Act, 1966*, is further amended by striking out "Victoria" in the third column.

R.S.O. 1960,
c. 395, s. 1,
par. 44,
amended

(12) Paragraph 44 of the said section 1 is amended by striking out the paragraph immediately following clause *d* and inserting in lieu thereof:

Commencing at the northwest corner of the Township of Downer; thence south along the west boundaries of the townships of Downer, Frances, Flanders, Foch, Drew, Welsh, Magone, Johns, Common, Hunt, and townships 65, 33 Range 28, 33 Range 27, 33 Range 26, 33 Range 25, 33 Range 24, and 33 Range 23 to the high-water mark of Lake Superior; thence south astronomically to the intersection with the International Boundary between Canada and the United States of America; thence southeasterly and easterly following the International Boundary through Lake Superior, the St. Marys River and the expansions thereof, and the North Channel of Lake Huron to an angle in the said boundary lying between Cockburn Island and Drummond Island; thence easterly in a straight line through the North Channel of Lake Huron to a point distant one and one-half miles measured south astronomically from the southwesterly extremity of Kenny Point on Innes Island; thence north 55° east astronomically five miles; thence east astronomically three miles; thence south 36° east astronomically five and one-half miles; thence northeasterly in a straight line to the intersection of the water's edge of the North Channel of Lake Huron with the southerly production of the west boundary of the Township of Harrow; thence northerly along the said southerly production and the west boundary of the Township of Harrow to the southeast corner of the Township of Salter; thence westerly, southerly and westerly along the south boundary of the Township of Salter to the southeast corner of the Township of Victoria; thence westerly along the south boundary of the Township of Victoria to the southwest corner thereof; thence north along the west boundary of the Township of Victoria to the southwest corner of Township 129; thence east along the south boundary of the said township to the southwest corner of the Township of Tennyson; thence east along the south boundary of the Township of Tennyson to the southeast corner of the said township; thence north along the east boundaries of the townships of Tennyson, 123, 124, and 125 to the intersection with the south boundary of Township A; thence east along that south boundary to the southeast corner thereof; thence north along the east boundaries

of townships A, B, C, and D to the northeast corner of the last-mentioned township; thence west along the north boundaries of townships D, H, L, P, and T to the southeast corner of Township Y; thence north along the west boundaries of townships Y, Z, and 7Z to the northeast corner of the last-mentioned township; thence west along the north boundaries of townships 7Z, 7A, 7B, 7C, 7D, 7E, 7F, 7G, 7H, 22 Range 14 and 23 Range 14 to the intersection with the east boundary of Township 24 Range 15; thence north along the east boundaries of townships 24 Range 15, 24 Range 16, 24 Range 17, 24 Range 18, 24 Range 19, 24 Range 20, 24 Range 21 and 24 Range 22, to the northeast corner of the last-mentioned township; thence west along the north boundary of Township 24 Range 22 to the southeast corner of Township 24 Range 23; thence north along the east boundaries of townships 24 Range 23, 24 Range 24, 43, 45, 46, and Meath to the intersection with the south boundary of the Township of Acton; thence east along the south boundaries of the townships of Acton, Winget, Amik, Abigo, Kildare, Lerwick, Kirkwall, Kapuskasing, and Loughheed to the southeast corner of the last-mentioned township; thence north along the east boundaries of the townships of Loughheed, Davin, Buchan, Allenby, Concohar, and Shanly to the northeast corner of the last-mentioned township; thence west along the north boundaries of the townships of Shanly, Bourinot, Opazatika, Abbott, Doherty and part of the Township of Pelletier, to the southeast corner of the Township of Scholfield; thence north along the east boundaries of the townships of Scholfield and Ebbs to the northeast corner of the last-mentioned township; thence west along the north boundaries of the townships of Ebbs, Templeton, McFarlan, and Dowsley to the southeast corner of the Township of McEwing; thence north along the east boundaries of the townships of McEwing and Arnott to the northeast corner of the last-mentioned township; thence west along the north boundaries of the townships of Arnott, Cross, Mercer, and Downer to the point of commencement.

(13) Paragraph 49 of the said section 1 is amended by striking out the paragraph immediately following clause *c* and inserting in lieu thereof:

R.S.O. 1960,
c. 395, s. 1,
par. 49,
amended

Commencing at the southeast corner of the Township of Falconer; thence west along the south boundary of the said township to the southwest corner thereof; thence north along the west boundaries of the townships of Falconer, Loudon, and Macpherson to the northwest corner of the last-mentioned township; thence east along the north boundary of the Township of Macpherson to the southwest corner of the Township of Kirkpatrick; thence north along the west boundaries of the townships of Kirkpatrick, Hugel, Crerar, Dana, Pardo,

Clement, Scholes, and Belfast, to the northwest corner of the last-mentioned township; thence east along the north boundary of the Township of Belfast to the southwest corner of the Township of Le Roche; thence north along the west boundaries of the townships of Le Roche and Canton to the northwest corner of the last-mentioned township; thence east along the north boundaries of the townships of Canton, Aston, Banting and Best in the Territorial District of Nipissing to the southeast corner of the Township of Brigstocke in the Territorial District of Timiskaming; thence southeasterly along the southwesterly boundary of the Township of Gillies Limit to the most southerly corner of the last-mentioned township; thence northeasterly along the southeasterly boundary of the last-mentioned township to the east boundary of the Township of Best in the Territorial District of Nipissing; thence south along the east boundaries of the townships of Best and Cassels to the southeast corner of the last-mentioned township; thence east along the north boundaries of the townships of Eldridge and Hebert and the production easterly of the north boundary of the Township of Hebert to the Interprovincial Boundary between Ontario and Quebec in Lake Timiskaming; thence in a southeasterly direction along the said Interprovincial Boundary to the intersection with the production northeasterly of the easterly boundary of the Township of Cameron; thence southerly along the said production and the easterly boundaries of the townships of Cameron and Deacon to the northwesterly corner of the Township of FitzGerald; thence easterly along the northerly boundary of the Township of FitzGerald to the northeasterly corner thereof; thence southerly along the easterly boundary of the Township of FitzGerald to the northwesterly corner of the Township of Edgar; thence easterly along the northerly boundary of the Township of Edgar to the northeasterly corner thereof; thence southerly along the easterly boundary of the Township of Edgar to the northwesterly corner of the Township of Bronson; thence easterly along the northerly boundary of the Township of Bronson to the northeasterly corner thereof; thence southerly along the easterly boundaries of the townships of Bronson, Stratton, and Master to the southeasterly corner of the last-mentioned township; thence westerly along the southerly boundaries of the townships of Master and Guthrie to the northeasterly corner of the Township of Dickens; thence southerly along the easterly boundary of the Township of Dickens to the southeasterly corner thereof; thence westerly along the southerly boundary of the Township of Dickens to the northeasterly corner of the Township of Lyell; thence southerly along the easterly boundary of the Township of Lyell to the southeasterly corner thereof; thence westerly along the southerly boundaries of the townships of Lyell and Sabine to the southwesterly corner of

the last-mentioned township; thence northerly along the westerly boundaries of the townships of Sabine and Airy to the northwesterly corner of the last-mentioned township; thence westerly along the southerly boundaries of the townships of Sproule, Canisbay, Peck and Finlayson to the southwesterly corner of the last-mentioned township; thence northerly along the westerly boundary of the Township of Finlayson to the northwesterly corner thereof; thence easterly along the northerly boundary of the Township of Finlayson in the Territorial District of Nipissing to the southeast corner of the Township of Bethune in the Territorial District of Parry Sound; thence northerly along the westerly boundaries of the townships of McCraney, Butt, Paxton, and Ballantyne in the Territorial District of Nipissing to the northwesterly corner of the last-mentioned township; thence easterly along the northerly boundary of the Township of Ballantyne to the southwesterly corner of the Township of Chisholm; thence northerly along the westerly boundaries of the townships of Chisholm and East Ferris to the southerly boundary of the Township of West Ferris; thence westerly along the southerly boundary of the Township of West Ferris to the water's edge of Lake Nipissing; thence westerly in a straight line across Lake Nipissing to a point in the middle of the Main Channel of the French River lying south of and off the most easterly extremity of Blueberry Island; thence southwesterly along the centre line of the Main Channel of the French River to its confluence with the centre line of Little French River lying north of Okikendawt Island; thence in a westerly, south-easterly and southwesterly direction following the said centre line of the Little French River to the intersection with the production easterly of the south boundary of the Township of Latchford; thence westerly along the said production and the south boundary of the Township of Latchford to the point of commencement.

(14) Clause *c* of paragraph 50 of the said section 1 is amended by striking out "Burpee" in the first column, by striking out "Mills" in the second column and by inserting after "Croft" in the first column "East Burpee" and "East Mills".

(15) Clause *c* of paragraph 52 of the said section 1, as amended by subsection 19 of section 1 of *The Territorial Division Amendment Act, 1964*, is further amended by inserting after "Vernon" in the third column "Victoria".

(16) Paragraph 52 of the said section 1 is amended by striking out the paragraph immediately following clause *c* and inserting in lieu thereof:

Commencing

Commencing at the southwest corner of the Township of Harrow; thence north along the west boundary of the Township of Harrow to the southeast corner of the Township of Salter; thence westerly, southerly and westerly along the south boundary of the Township of Salter to the southwest corner thereof; thence westerly along the south boundary of the Township of Victoria to the southwest corner thereof; thence north along the west boundary of the Township of Victoria to the northwest corner thereof; thence east along the north boundary of the Township of Victoria to the northeast corner thereof; thence east along the north boundary of the Township of Salter to the southwest corner of the Township of Gough; thence north along the west boundaries of the townships of Gough, 118, 119, and 120 to the northwest corner of Township 120; thence east along the north boundary of the last-mentioned township to the southwest corner of Township 114; thence north along the west boundaries of townships 114, 115, Gilbert, and Dennie to the intersection with the south boundary of the Township of La Fleche; thence west along the south boundaries of the townships of La Fleche, Alton, Jasper, Durban, Ethel and Comox, to the southwest corner of the last-mentioned township; thence north along the west boundaries of the townships of Comox, Fulton, and Iris to the northwest corner of the last-mentioned township; thence west along the south boundaries of townships 8Z, 8A, 8B, 8C, 8D, 8E, 8F, 8G, 8H, 22 Range 15, and 23 Range 15 to the southwest corner of the last-mentioned township; thence north along the west boundaries of townships 23 Range 15, 23 Range 16, 23 Range 17, 23 Range 18, 23 Range 19, 23 Range 20, Topham, and Cosens to the intersection with the south boundary of Township 23 Range 23; thence west along the said south boundary to the southwest corner thereof; thence north along the west boundaries of townships 23 Range 23, Hornell, Bader, 44, Stover, and Rennie to the northwest corner of the last-mentioned township; thence east along the north boundaries of the townships of Rennie, Leeson, Baltic, Barclay, Calais, Lloyd, Bonar, Sherlock, Shenango, Oates, Oswald, Melrose and Frey to the northeast corner of the last-mentioned township; thence south along the east boundaries of the townships of Frey, Sewell, and Kenogaming to the northwest corner of the Township of Crothers; thence east along the north boundaries of the townships of Crothers, McBride, Hassard, Beemer, English, and Zavitz to the northeast corner of the last-mentioned township; thence south along the east boundaries of the townships of Zavitz, Hutt, Halliday, Mond, Natal, Macmurchy, Fawcett, Ogilvie, and Browning to the northwest corner of the Township of Stull; thence east along the north boundaries of the townships of Stull, McLeod, Ellis, Parker, Selby and Sladen to the northeast corner of the last-mentioned township;

thence

thence south along the east boundaries of the townships of Sladen, Shelburne, and Delhi to the southeast corner of the last-mentioned township; thence west along the south boundary of the Township of Delhi to the northeast corner of the Township of Armagh; thence south along the east boundaries of the townships of Armagh, Afton, Macbeth, McNish, Janes, Henry, Ratter, and Dunnet to the southeast corner of the last-mentioned township; thence west along the south boundary of the Township of Dunnet to the northeast corner of the Township of Casimir; thence south along the east boundaries of the townships of Casimir, Haddo, and Martland to the southeast corner of the last-mentioned township; thence east along the north boundary of the Township of Scollard and its easterly production to the centre line of the Little French River lying north of Okikendawt Island; thence southwesterly along the said centre line of the Little French River and the French River Main Channel adjacent to the south boundaries of the townships of Scollard, Mason, Bigwood, Allen and Struthers to the intersection with the southerly production of the east boundary of the Township of Travers; thence north along the said southerly production to the water's edge along the north shore of the said channel; thence southwesterly, westerly and southwesterly along the said water's edge and the water's edge of Georgian Bay to the intersection with the southerly production of the west boundary of the Township of Travers; thence north along the said southerly production and the west boundaries of the townships of Travers and Kilpatrick to the northwest corner of the last-mentioned township; thence west along the south boundary of the Township of Sale to the southwest corner thereof; thence north along the west boundary of the Township of Sale to the southeast corner of the Township of Goschen; thence west along the south boundaries of the townships of Goschen, Stalin, Roosevelt and Curtin, and the westerly production of the south boundary of the last-mentioned township, to the water's edge of the North Channel of Lake Huron; thence northerly, westerly, and southerly following the said water's edge to its intersection with the easterly production of the north boundary of the west part of the unsurrendered portion of the Whitefish Indian Reserve Number 4; thence west along the said production and the said north boundary to the water's edge of the North Channel of Lake Huron; thence northerly and westerly along the said water's edge to its intersection with the southerly production of the west boundary of the Township of Harrow; thence north along the said production to the point of commencement.

(17) Paragraph 54 of the said section 1 is amended by striking out the paragraph immediately following clause *c* and inserting in lieu thereof:

R.S.O. 1960,
c. 395, s. 1,
par. 54,
amended

Commencing at the southwest corner of the Township of South Lorrain; thence north along the west boundary of the last-mentioned township to the intersection with the southeasterly boundary of the Township of Gillies Limit; thence southwesterly along the southeasterly boundary of the last-mentioned township to the most southerly corner thereof; thence northwesterly along the southwesterly boundary of the last-mentioned township to the southeast corner of the Township of Brigstocke; thence west along the south boundaries of the townships of Brigstocke, Cole and Medina to the southwest corner of the last-mentioned township; thence north along the west boundary of the Township of Medina to the northwest corner thereof; thence west along the south boundaries of the townships of Rorke, McGiffin, Gamble, Corley, Leckie, and Dufferin to the southwest corner of the last-mentioned township; thence north along the west boundaries of the townships of Dufferin, North Williams, Leonard, Tyrrell, Knight, Raymond, Midlothian, Montrose, and Hincks to the northwest corner of the last-mentioned township; thence west along the south boundaries of the townships of Geikie, Bartlett, Musgrove, Doyle, Childerhose, and Pharand to the southwest corner of the last-mentioned township; thence north along the west boundaries of the townships of Pharand, Hillary, and Keefer to the northwest corner of the last-mentioned township; thence east along the north boundaries of the townships of Keefer, Denton, Thorneloe, Price, Adams, Eldorado, Langmuir, Blackstock, Timmins, McEvay, Tolstoi, Black, Benoit, Melba, Bisley, Clifford, Ben Nevis, and Pontiac to the Interprovincial Boundary between Ontario and Quebec; thence southerly along the said Interprovincial Boundary to the intersection with the production easterly of the south boundary of the Township of South Lorrain; thence west along the said easterly production and the south boundary of the Township of South Lorrain to the point of commencement.

R.S.O. 1960,
c. 395, s. 2,
par. 1, cl. *a*,
amended

2.—(1) Clause *a* of paragraph 1 of section 2 of *The Territorial Division Act* is amended by striking out “improvement districts of Elliot Lake” in the first line and inserting in lieu thereof “Improvement District of”.

R.S.O. 1960,
c. 395, s. 2,
par. 1, cl. *b*,
amended

(2) Clause *b* of paragraph 1 of the said section 2 is amended by inserting after “Day and Bright Additional” in the first column “Elliot Lake”.

Short title

3. This Act may be cited as *The Territorial Division Amendment Act, 1967*.

CHAPTER 102

An Act to amend The Tile Drainage Act

Assented to June 15th, 1967
Session Prorogued June 15th, 1967

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Section 9 of *The Tile Drainage Act*, as re-enacted by R.S.O. 1960, c. 399, s. 9, section 2 of *The Tile Drainage Amendment Act, 1961-62*, is amended by striking out "\$10,000,000" in the third line and inserting in lieu thereof "\$20,000,000", so that the section shall read as follows:

9. The Treasurer of Ontario may purchase, acquire and hold debentures issued under this Act to an extent not exceeding in the whole \$20,000,000 at any time, and pay therefor out of the Consolidated Revenue Fund.

2. This Act comes into force on the day it receives Royal Assent.

3. This Act may be cited as *The Tile Drainage Amendment Act, 1967*.

CHAPTER 103

An Act to amend The Trees Act

Assented to March 22nd, 1967
Session Prorogued June 15th, 1967

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Section 1 of *The Trees Act* is repealed and the following substituted therefor: R.S.O. 1960,
c. 406, s. 1,
re-enacted

1. In this Act, "forestry purposes" includes the production of wood and wood products, provision of proper environmental conditions for wild life, protection against floods and erosion, recreation, and protection and production of water supplies. Interpre-
tation

2. This Act comes into force on the day it receives Royal Assent. Commence-
ment

3. This Act may be cited as *The Trees Amendment Act, 1967*. Short title

CHAPTER 104

**An Act to amend
The Used Car Dealers Act, 1964**

*Assented to March 22nd, 1967
Session Prorogued June 15th, 1967*

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) Clause *a* of section 1 of *The Used Car Dealers Act, 1964*,^{1964, c. 121, s. 1,} is amended by striking out “the Attorney General”^{amended} in the second and third lines and inserting in lieu thereof “Financial and Commercial Affairs”.

(2) The said section 1 is amended by adding thereto the^{1964, c. 121, s. 1,} following clause:^{amended}

(aa) “Minister” means the Minister of Financial and Commercial Affairs.

2. Section 3 of *The Used Car Dealers Act, 1964* is amended^{1964, c. 121, s. 3,} by adding thereto the following subsection:^{amended}

(3) A used car dealer shall not retain the services of a^{Dealer to ensure} salesman who is not registered under this Act.^{salesmen registered}

3. Subsection 1 of section 6 of *The Used Car Dealers Act, 1964*,^{1964, c. 121, s. 6,} is amended by striking out “Attorney General” in the^{subs. 1,} first line and inserting in lieu thereof “Minister”.^{amended}

4. Subsection 2 of section 9 of *The Used Car Dealers Act, 1964*,^{1964, c. 121, s. 9,} is amended by striking out “and” at the end of clause *b*^{subs. 2,} and by adding thereto the following clauses:^{amended}

(d) any change in the name under which the dealer carries on business; and

(e) any change in the person or persons having actual or effective control of the business of the registered dealer.

1964,
c. 121, s. 11,
subs. 2,
amended

5.—(1) Subsection 2 of section 11 of *The Used Car Dealers Act, 1964* is amended by striking out “Attorney General” in the first line and in the sixth line and inserting in lieu thereof in each instance “Minister”.

1964,
c. 121, s. 11,
subs. 6,
amended

(2) Subsection 6 of the said section 11 is amended by striking out “Attorney General” in the first line and inserting in lieu thereof “Minister”.

1964,
c. 121, s. 12,
amended

6. Section 12 of *The Used Car Dealers Act, 1964* is amended by striking out “Attorney General” in the tenth line and inserting in lieu thereof “Minister”.

1964,
c. 121, s. 13,
amended

7. Section 13 of *The Used Car Dealers Act, 1964* is amended by striking out “Attorney General” in the first and second lines and inserting in lieu thereof “Minister”.

1964,
c. 121, s. 17,
subs. 4,
amended

8. Subsection 4 of section 17 of *The Used Car Dealers Act, 1964* is amended by striking out “Attorney General” in the first line and inserting in lieu thereof “Minister”.

1964,
c. 121, s. 19,
subs. 3,
amended

9. Subsection 3 of section 19 of *The Used Car Dealers Act, 1964* is amended by striking out “Attorney General” in the second line and inserting in lieu thereof “Minister”.

1964,
c. 121, s. 21,
amended

10. Section 21 of *The Used Car Dealers Act, 1964*, as amended by section 2 of *The Used Car Dealers Amendment Act, 1965*, is further amended by adding thereto the following clauses:

(fa) prescribing the information that used car dealers and salesmen shall disclose respecting the history of any class or classes of used cars;

(fb) prohibiting prescribed alterations of used cars or any part thereof and requiring disclosure of prescribed alterations not prohibited.

Commence-
ment

11. This Act comes into force on the day it receives Royal Assent.

Short title

12. This Act may be cited as *The Used Car Dealers Amendment Act, 1967*.

CHAPTER 105

**An Act respecting the
Whirlpool Rapids Bridge**

*Assented to April 26th, 1967
Session Prorogued June 15th, 1967*

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. In this Act, “bridge” means the international bridge<sup>“bridge”
defined</sup> across the Niagara River between the City of Niagara Falls in Ontario and the City of Niagara Falls in the State of New York, one of the United States of America, known as the Whirlpool Rapids Bridge, and includes land, centre span and all buildings, structures, erections and works forming part of the bridge or connected therewith, and appurtenances thereto.

2. The portion of the bridge in Ontario and the land and highway forming the approach to the bridge are exempt from<sup>Exemption
from
municipal
taxation</sup> taxation for municipal or school purposes, including local improvement rates.

3. There shall be paid out of the Consolidated Revenue^{Grant} Fund to The Corporation of the City of Niagara Falls, Ontario, the sum of \$144,000 in respect of the period of 1964 to 1967, both inclusive, and the sum of \$36,000 in the year 1968 and in each year thereafter to and including the year 1980.

4. This Act comes into force on the day it receives Royal<sup>Commence-
ment</sup> Assent.

5. This Act may be cited as *The Whirlpool Rapids Bridge*^{Short title} Act, 1967.

CHAPTER 106

**An Act to amend
The Workmen's Compensation Act**

*Assented to June 15th, 1967
Session Prorogued June 15th, 1967*

HER MAJESTY, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Section 122 of *The Workmen's Compensation Act*, as amended by section 12 of *The Workmen's Compensation Amendment Act, 1962-63* and section 7 of *The Workmen's Compensation Amendment Act, 1965*, is repealed. R.S.O. 1960, c. 437, s. 122, repealed

2. This Act comes into force on a day to be named by the Lieutenant Governor by his proclamation. Commence-
ment

3. This Act may be cited as *The Workmen's Compensation Amendment Act, 1967*. Short title

PART II
PRIVATE ACTS
Chapters 107 to 137

CHAPTER 107

**An Act respecting the
Town of Amherstburg**

*Assented to March 22nd, 1967
Session Prorogued June 15th, 1967*

WHEREAS The Corporation of the Town of Amherst- Preamble
burg, herein called the Corporation, by its petition has
prayed for special legislation in respect of the matters herein-
after set forth; and whereas it is expedient to grant the prayer
of the petition;

Therefore, Her Majesty, by and with the advice and consent
of the Legislative Assembly of the Province of Ontario, enacts
as follows:

1.—(1) Notwithstanding any general or special Act, the Tax credit
to old age
pensioners
council of the Corporation may pass by-laws authorizing and
directing the treasurer of the Corporation to allow a credit
equivalent to that portion of the real property taxes imposed
by the Corporation or a school board for school purposes on
payment by any person of the remaining portion of the real
property taxes so imposed in respect of any residential real
property or any part thereof owned and occupied by such
person, or by the husband or wife of such person, or by both,
as his, her or their personal residence, where such person, or
the husband or wife of such person, or both, have attained the
age of seventy years and are receiving a governmental benefit
under the *Old Age Security Act* (Canada), provided, however, R.S.C. 1952,
c. 200
that no such credit,

- (a) shall exceed the sum of \$100 in any one year;
- (b) shall be allowed to any person in respect of more
than one such property in any one year;
- (c) shall be allowed to any person who has not made
application therefor on or before the last day of
February in the year in which the real property taxes
in respect of which such credit is claimed become due
and payable;

(d)

(d) shall be allowed to any person unless such person, or the husband or wife of such person, or both, have been assessed as the owner of real property in the Town of Amherstburg for at least ten of the fifteen years immediately preceding the year in which the application for such a credit is made; or

(e) shall be allowed to any person unless and until the applicant and the husband or wife of the applicant, if any, have passed whatever means test may be prescribed by the by-law.

By-laws
for adminis-
tration

(2) Any by-law passed pursuant to this section may prescribe such regulations with respect to the administration thereof, not inconsistent with this section, which to the council of the Corporation may seem proper, and shall provide for including in the yearly estimates all sums required to give effect to the provisions of the by-law.

Commence-
ment

2. This Act comes into force on the day it receives Royal Assent.

Short title

3. This Act may be cited as *The Town of Amherstburg Act, 1967*.

CHAPTER 108

An Act respecting the Town of Blind River

*Assented to March 22nd, 1967
Session Prorogued June 15th, 1967*

WHEREAS The Corporation of the Town of Blind River by its petition has represented that it was incorporated by *An Act to incorporate the Town of Blind River*, being chapter 62 of the Statutes of Ontario, 1906, and that the said Act of incorporation established wards and provided for the election of councillors and public school trustees by wards; and whereas the petitioner desires to abolish the ward system and to elect councillors and public school trustees at large in the manner provided by general legislation; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Sections 3, 8 and 18 of *An Act to incorporate the Town of Blind River* are repealed. 1906, c. 62,
ss. 3, 8, 18,
repealed

2.—(1) The members of the council of The Corporation of the Town of Blind River who are in office when this Act comes into force shall remain in office until the council elected at the next election therefor is organized. Present
council
continued

(2) The public school trustees of The Corporation of the Town of Blind River who are in office when this Act comes into force shall remain in office until the trustees elected at the next election therefor take office. Present
school
trustees
continued

3. This Act comes into force on the day it receives Royal Assent. Commence-
ment

4. This Act may be cited as *The Town of Blind River Act*, 1967. Short title
1967.

CHAPTER 109

An Act respecting the Town of Burlington

*Assented to March 22nd, 1967
Session Prorogued June 15th, 1967*

WHEREAS The Corporation of the Town of Burlington, ^{Preamble}
herein called the Corporation, by its petition has prayed
for special legislation in respect of the matters hereinafter
set forth; and whereas it is expedient to grant the prayer of
the petition;

Therefore, Her Majesty, by and with the advice and consent
of the Legislative Assembly of the Province of Ontario, enacts
as follows:

1.—(1) Notwithstanding any general or special Act, the
council of the Corporation may by by-law authorize and direct
the treasurer of the Corporation to allow a credit equivalent
to that portion of the real property taxes imposed by the
Corporation or a school board for school purposes on payment
by any person of the remaining portion of the real property
taxes so imposed in respect of any residential real property or
any part thereof owned and occupied by such person, or by
the husband or wife of such person, or by both, as his, her or
their personal residence, where such person, or the husband or
wife of such person, or both, have attained the age of seventy
years and are receiving a governmental benefit under the
Old Age Security Act (Canada), provided, however, that no
such credit, <sup>Tax credit
to old age
pensioners
R.S.C. 1962,
c. 200</sup>

- (a) shall exceed the sum of \$100 in any one year;
- (b) shall be allowed to any person in respect of more than
one such property in any one year;
- (c) shall be allowed to any person who has not made
application therefor on or before the last day of
February in the year in which the real property
taxes in respect of which such credit is claimed be-
come due and payable, or, in the case of the year
1967, within sixty days after the passing of the by-
law;

(d)

(d) shall be allowed to any person unless such person, or the husband or wife of such person, or both, have been assessed as the owner of real property in the Town of Burlington for at least ten of the fifteen years immediately preceding the year in which the application for such a credit is made; or

(e) shall be allowed to any person unless and until the applicant and the husband or wife of the applicant, if any, have passed whatever means test may be prescribed by the by-law.

By-laws
for
administra-
tion

(2) Any by-law passed pursuant to this section may prescribe such regulations with respect to the administration thereof, not inconsistent with this section, that to the council of the Corporation may seem proper, and shall provide for including in the yearly estimates all sums required to give effect to the provisions of the by-law.

Previous
residence in
annexed
areas

(3) For the purpose of clause *d* of subsection 1, the Town of Burlington includes,

(a) the Township of Nelson and that part of the Township of East Flamborough annexed to the Town of Burlington with effect from the 1st day of January, 1958; and

(b) that part of the City of Hamilton annexed to the Town of Burlington with effect from the 1st day of January, 1965.

Acquisition
of lands
for parking
lot

R.S.O. 1960,
c. 249

2.—(1) The lands acquired by the Corporation and described in the Schedule shall be deemed to have been acquired under the authority of and for the purposes of paragraph 67 of section 377 of *The Municipal Act*, and the council of the Corporation may pass a by-law, with the approval of the Ontario Municipal Board, to provide that the capital cost of such parking lot, together with any operating deficit, shall be levied against the lands in an area in the municipality as defined in the by-law that, in the opinion of the council, derives special benefit therefrom and all the provisions of paragraph 67 of section 377 of *The Municipal Act* apply.

Issue of
debentures

(2) The council of the Corporation may pass a by-law, without obtaining the approval of the Ontario Municipal Board, providing for the issue of debentures of the Corporation in a principal amount not exceeding \$87,000 at such rate of interest as the council determines in the by-law and repayable in not more than fifteen years, for the purpose of providing for the cost of acquiring the lands described in the Schedule.

(3) Sections 55, 56, 57 and 58 of *The Ontario Municipal Board Act* apply in respect of a by-law passed under sub-section 2 and the debentures to be issued thereunder. ^{Application of R.S.O. 1960, c. 274}

3. Section 3 of *The Town of Burlington Act, 1966* is amended by adding thereto the following subsection: ^{1966, c. 164, s. 3, amended}

(3a) A by-law shall not be passed under subsection 1 until at least seven days after notice of the intention to pass the by-law has been published twice, the publications being at least seven days apart. ^{Publication of notice}

4. This Act comes into force on the day it receives Royal Assent. ^{Commencement}

5. This Act may be cited as *The Town of Burlington Act, 1967*. ^{Short title}

SCHEDULE

ALL AND SINGULAR those certain parcels or tracts of land and premises situate, lying and being in the Town of Burlington, in the County of Halton, and being composed of Lots Nos. Seven (7) and Six (6) in Block "J", as shown on Plan No. 92.

CHAPTER 110

An Act respecting the Town of Caledonia

*Assented to March 22nd, 1967
Session Prorogued June 15th, 1967*

WHEREAS The Corporation of the Town of Caledonia ^{Preamble} by its petition has represented that it is desirous of providing for the establishment of a Community Services Board for the better development and supervision of its public parks and recreational activities, and that for such purposes it is necessary to endow such board with all the duties, responsibilities, powers and privileges of the Caledonia Recreation Committee established under *The Department of Education Act*, The Kinsmen Park Community Centres Board and The MacKinnon Park Community Centres Board, established for the Town of Caledonia under *The Community Centres Act* and the council of the Town of Caledonia in respect of parks management under section 377 of *The Municipal Act*; and whereas the petitioner has prayed for special legislation in respect of such matters; and whereas it is expedient to grant the prayer of the petition; ^{R.S.O. 1960, cc. 94, 60, 249}

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. In this Act,

**Interpre-
tation**

- (a) "Board" means the Community Services Board established by this Act;
- (b) "Council" means the council of the Town of Caledonia.

2.—(1) Notwithstanding *The Department of Education Act* ^{Community Services Board} and the regulations thereunder, *The Community Centres Act* ^{R.S.O. 1960, cc. 94, 60, 329} and the regulations thereunder, and *The Public Parks Act*, there shall be a board to be known as the Community Services Board, which shall consist of,

- (a) the mayor of the Town of Caledonia;
- (b) one member of the Council appointed by the Council;

(c)

- (c) not fewer than three and not more than five persons appointed by the Council, who are resident in the Town of Caledonia or the townships of Seneca or Oneida, and qualified to be elected as members of council in their respective municipalities.

Term of
office

(2) The members of the Board who are not members of the Council shall hold office for two years, but, on the first appointment, the members shall hold office until the end of the year next following the appointment in which a general municipal election is to be held to elect members of the Council.

Idem

(3) The members of the Board shall hold office until their successors are appointed and are eligible for re-appointment.

Vacancies

(4) Where a member of the Board ceases to be a member before the expiration of his term, the Council shall appoint another qualified person for the unexpired portion of the term.

Quorum

(5) A majority of the members of the Board constitutes a quorum.

Chairman

(6) The Board shall elect a chairman and a vice-chairman from among the members of the Board, and, in the absence of the chairman, the vice-chairman shall preside at meetings of the Board.

Powers
and duties
of Board
R.S.O. 1960,
cc. 94, 60,
329

3. Except as otherwise provided in this Act, *The Department of Education Act* and the regulations thereunder, *The Community Centres Act* and the regulations thereunder and *The Public Parks Act*, except the provisions constituting a board of park management as a corporation and authorizing such a board to acquire and hold land, apply to the Board as if it had been established in accordance with such Acts and regulations.

Dissolution
of former
boards

4. When the Board is constituted,

- (a) the Caledonia Recreation Committee, The Kinsmen Park Community Centres Board and The MacKinnon Park Community Centres Board are dissolved, and the assets and liabilities of such committee and boards become the assets and liabilities of the Town of Caledonia; and

- (b) by-laws Nos. 400, 490 and 588 of the Town of Caledonia are repealed.

Power to
contract
and sue

5. The Board may contract and may sue and be sued in its own name, and the members thereof are not personally liable on any contract made by the Board.

6. The Board may expend moneys received from the Council only in accordance with the budget of the Board as approved from time to time by the Council, and any funds received by the Board for a specific purpose may be used by the Board only for such specific purpose.

7. The Council may pay the members of the Board for their services annually such amount as the Council may determine, but such amount shall not exceed the annual amount allowed to the members of the Council.

8. This Act comes into force on the day it receives Royal Assent.

9. This Act may be cited as *The Town of Caledonia Act*, Short title 1967.

CHAPTER 111

**An Act respecting the College of the Dominican
or Friar Preachers of Ottawa**

*Assented to March 22nd, 1967
Session Prorogued June 15th, 1967*

WHEREAS the Dominican or Friar Preachers of Ottawa ^{Preamble} by its petition has represented that it was incorporated under the provisions of *An Act respecting Benevolent, Provident and other Societies*, being chapter 172 of the Revised Statutes of Ontario, 1887, for the object of teaching theology and philosophy; and whereas letters patent incorporating the members of the said Corporation as a corporation under *The Ontario Companies Act*, being chapter 34 of the Statutes of Ontario, 1907, were issued on the 31st day of March, 1909 with the same objects; and whereas it has since 1910 conducted and maintained a college of learning for the teaching of philosophy and theology; and whereas the petitioner desires that its College have powers similar to those of other religious institutions of learning to grant such degrees in philosophy and theology as the Academic Council of its College may from time to time deem meet; and whereas the petitioner has prayed for special legislation conferring on the Academic Council of its College the power to grant university degrees in theology and philosophy, including honorary degrees therein, and to appoint a Chancellor for the purpose of conferring such degrees; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. In this Act,Interpre-
tation

- (a) "Academic Council" means the Academic Council of the College consisting of the Chancellor, the Regent of Studies, the Vice-Regent of Studies, the Master of Studies and the Directors of the departments of philosophy, theology and pastoral theology;
- (b) "College" means the College of the Dominican or Friar Preachers of Ottawa.

Chancellor

2. The Chancellor of the College shall be appointed by the governing body of the Dominican or Friar Preachers of Ottawa.

Power to
grant
degrees in
philosophy
and
theology

3.—(1) The Academic Council shall have the power to grant university degrees, including honorary degrees, in philosophy and theology, including applied or pastoral theology, to such persons as the Academic Council from time to time may deem to have the necessary qualifications therefor, subject to such examinations or otherwise as may from time to time be prescribed by the said Academic Council.

Conferral of
degrees

(2) All such degrees shall be conferred by the Chancellor or, in the case of his absence or of there being a vacancy in the office, by the Regent of Studies of the College or, in the case of the absence of both of them or of both offices being vacant, by a member of the Academic Council appointed for the purpose by the Academic Council.

Commence-
ment

4. This Act comes into force on the day it receives Royal Assent.

Short title

5. This Act may be cited as *The Dominican or Friar Preachers of Ottawa College Act, 1967*.

CHAPTER 112

An Act respecting the Borough of East York

Assented to June 15th, 1967
Session Prorogued June 15th, 1967

WHEREAS The Corporation of the Borough of East York, herein called the Corporation, by its petition has prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the petition; Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Subsection 2 of section 2 of *The Township of East York Act, 1965* is repealed and the following substituted therefor: 1965, c. 150,
s. 2, subs. 2,
re-enacted

(2) Before passing a by-law under this section, notice of the intention of the council to pass the same shall be sent by prepaid mail to all persons who are shown in the last revised assessment roll of the municipality as having the qualifications of municipal electors in respect of land abutting on the highways or parts thereof to be designated as aforesaid, at the addresses respectively shown for such persons in such roll. Notice to
electors

(2a) Unless a petition objecting to the passing of the proposed by-law, signed by at least two-thirds of the persons entitled to notice as aforesaid, is received by the clerk of the Corporation within one month next following the latest day of the mailing of any such notices, the council may pass the by-law, but, if a petition objecting to the passing of the proposed by-law, signed by at least two-thirds of the persons entitled to notice as aforesaid, is received by the clerk of the Corporation within such time, the council shall not pass the by-law. Petition

(2b) Where the council of the Corporation has proceeded under this section and has been prevented from passing the proposed by-law by reason of a petition

objecting

objecting thereto having been presented under subsection 2*a*, the council may again proceed under this section in respect of the highways or parts thereof proposed to be designated by such by-law at any time after the expiry of the two years next following the presentation of the petition.

1933,
c. 76, s. 2,
repealed

2. Section 2 of *The Township of East York Act, 1933* is repealed.

Commence-
ment

3. This Act comes into force on the day it receives Royal Assent.

Short title

4. This Act may be cited as *The Borough of East York Act, 1967*.

CHAPTER 113

**An Act respecting
The Empire Life Insurance Company**

*Assented to March 22nd, 1967
Session Prorogued June 15th, 1967*

WHEREAS The Empire Life Insurance Company, and ^{Preamble}
in French, L'Empire, Compagnie d'Assurance-Vie,
hereinafter called the Company, by its petition has represented
that it was incorporated under the laws of the Province of
Ontario by letters patent bearing date the 11th day of
January, 1923; and whereas the Company desires to be con-
tinued under the jurisdiction of the Parliament of Canada;
and whereas the petitioner has prayed for special legislation for
such purposes; and whereas it is expedient to grant the prayer
of the petition;

Therefore, Her Majesty, by and with the advice and consent
of the Legislative Assembly of the Province of Ontario, enacts
as follows:

1. Subject to authorization by special resolution under ^{Application}
The Corporations Act, the Company may apply to the Par- ^{to}
liament of Canada for a special Act continuing the Company ^{Parliament}
as if it had been incorporated under the laws of Canada and ^{of Canada}
providing, *inter alia*, that all rights and interests of the share- ^{authorized}
holders, policyholders and creditors of the Company in, to ^{R.S.O. 1960,}
or against the property, rights and assets of the Company and ^{c. 71}
all liens upon the property, rights and assets of the Company
are unimpaired by such continuation.

2. Upon the coming into force of the special Act referred ^{Application}
to in section 1, the Company shall file with the Provincial ^{of}
Secretary proof of the enactment and coming into force of ^{R.S.O. 1960,}
such special Act, and, on and after the date of the filing of such ^{c. 71}
notice, *The Corporations Act* and any successor thereto ceases
to apply to the Company.

3. The Provincial Secretary may, on receipt by him of ^{Certificate}
proof of the enactment and coming into force of the special
Act referred to in section 1, issue a certificate to the Company
confirming the date on which the provisions of section 2 take
effect.

Commence-
ment

4. This Act shall be deemed to have come into force on the 1st day of January, 1967.

Short title

5. This Act may be cited as *The Empire Life Insurance Company Act, 1967*.

CHAPTER 114

An Act respecting the Borough of Etobicoke

*Assented to March 22nd, 1967
Session Prorogued June 15th, 1967*

WHEREAS The Corporation of the Borough of Etobicoke, herein called the Corporation, by its petition has prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the petition; Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. The Corporation may pass by-laws prohibiting the sale of fruit, candy, peanuts, ice cream, ice cream cones, frozen milk, frozen desserts or other confections from a basket or wagon, cart or other vehicle upon any highway or part of it, or in any public park or other public place. Prohibition
of street
vending of
refresh-
ments

2. This Act comes into force on the day it receives Royal Assent. Commence-
ment

3. This Act may be cited as *The Borough of Etobicoke Act*, Short title
1967.

CHAPTER 115

An Act respecting the City of Hamilton

*Assented to June 15th, 1967
Session Prorogued June 15th, 1967*

WHEREAS The Corporation of the City of Hamilton Preamble
by its petition has prayed for special legislation in
respect of the matters hereinafter set forth; and whereas it
is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent
of the Legislative Assembly of the Province of Ontario, enacts
as follows:

1. Subsection 1 of section 2 of *The City of Hamilton Act*, ^{1966,}
1966 is amended by inserting after "Corporation" in the fifth ^{c. 171, s. 2,}
line "or a school board", so that the subsection, exclusive of ^{subs. 1,}
the clauses, shall read as follows: ^{amended}

2.—(1) Notwithstanding any general or special Act, the ^{Tax credit}
council of The Corporation of the City of Hamilton ^{to old age}
may by by-law authorize and direct the treasurer of ^{pensioners}
the Corporation to allow a credit equivalent to that
portion of the real property taxes imposed by the
Corporation or a school board for school purposes on
payment by any person of the remaining portion of
the real property taxes so imposed in respect of any
residential real property or any part thereof owned
and occupied by such person, or by the husband or
wife of such person, or by both, as his, her or their
personal residence, where such person, or the husband
or wife of such person, or both, have attained the
age of seventy years and are receiving a governmental
benefit under the *Old Age Security Act* (Canada), ^{R.S.C. 1952,}
provided, however, that no such credit, ^{c. 200}

.

2. Section 4 of *The City of Hamilton Act, 1966* is amended ^{1966,}
by striking out "\$64,000" in the third line and inserting in ^{c. 171, s. 4,}
lieu thereof "\$89,000", so that the section shall read as ^{amended}
follows:

Grant to
Hamilton
S.P.C.A.

4. The council of The Corporation of the City of Hamilton may by by-law grant aid totalling an amount not exceeding \$89,000 to the Hamilton Society for the Prevention of Cruelty to Animals to assist the Society in constructing a new animal shelter in the City of Hamilton.

1956,
c. 105, s. 2,
subs. 1,
amended

3. Subsection 1 of section 2 of *The City of Hamilton Act, 1956*, is amended by striking out "\$30,000" in the third line and inserting in lieu thereof "\$40,000", so that the subsection shall read as follows:

Grants
authorized

- (1) The council may, out of current revenues of the Corporation, in any year grant such sum or sums of money, not exceeding in the aggregate \$40,000 in any one year, in aid of institutions, associations or persons, for the carrying on of activities which in the opinion of the council are for the general advantage of the inhabitants of the Corporation, and for which grant or grants there is no express authority provided by any other Act.

Owner's
appraisal
fee on
expropria-
tion

4. Where The Corporation of the City of Hamilton has expropriated the personal residence of any person who, alone or with others,

- (a) is the owner of the expropriated residence in fee simple or to uses;
- (b) is entitled to an equity of redemption in the expropriated residence; or
- (c) is the purchaser of the expropriated residence under an agreement of purchase and sale, whether as an assignee or otherwise,

the Corporation may pay to such person a sum not exceeding \$250 to assist him in obtaining the report of an independent appraiser as to the compensation to which he is entitled.

Commence-
ment

5.—(1) This Act, except section 1, comes into force on the day it receives Royal Assent.

Idem

(2) Section 1 shall be deemed to have come into force on the 6th day of April, 1966.

Short title

6. This Act may be cited as *The City of Hamilton Act, 1967*.

CHAPTER 116

An Act to establish The Kitchener and District Public School Board

*Assented to March 22nd, 1967
Session Prorogued June 15th, 1967*

WHEREAS The Kitchener Public School Board, The ^{Preamble}
Union Public School Board of Bridgeport and The
Public School Board of the Township School Area of Waterloo
by their petition have prayed for special legislation in respect
of the matters hereinafter set forth; and whereas it is expedient
to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent
of the Legislative Assembly of the Province of Ontario, enacts
as follows:

1. In this Act, "Board" means The Kitchener and District ^{Board defined}
Public School Board.

2. An urban school board known as The Kitchener and ^{Kitchener and District Public School Board established}
District Public School Board is hereby established, with
jurisdiction, control, management and administration of all
public elementary schools within the City of Kitchener, the
Village of Bridgeport and the Township of Waterloo, and
for the purposes of any Act such Board shall be deemed to
have been established under *The Public Schools Act* and ^{R.S.O. 1960, cc. 330, 361}
The Schools Administration Act, and the City of Kitchener,
the Village of Bridgeport and the Township of Waterloo are
hereby designated as a public school section.

3. The Board shall, for the year 1967, be composed of, ^{Composition of Board for 1967}

- (a) the ten members elected to The Kitchener Public School Board at the last election held in the City of Kitchener before this Act comes into force;
- (b) the six members elected to The Union Public School Board of Bridgeport at the last election held in the Village of Bridgeport before this Act comes into force; and

(c)

- (c) the five members elected to The Public School Board of the Township School Area of Waterloo at the last election held in the Township of Waterloo before this Act comes into force.

Composition
of Board
after 1967

4. For the year 1968 and subsequent years, the Board shall be composed of,

- (a) nine members who shall be elected by the general vote of the persons qualified to vote for public school trustees within the City of Kitchener;
- (b) one member who shall be elected by the general vote of the persons qualified to vote for a public school trustee within the Village of Bridgeport; and
- (c) two members who shall be elected by the general vote of the persons qualified to vote for public school trustees within the Township of Waterloo.

Application
of
R.S.O. 1960,
c. 330,
re election
of trustees

5. The provisions of *The Public Schools Act* with respect to qualifications of urban school trustees and the election of such trustees by ballot apply to the election of trustees to the Board.

Qualifica-
tions for
nominations

6. No person is disqualified from nomination and election as a member of the Board at the first election of members thereof by reason of being at that time a public school or high school trustee.

Property
and
liabilities
of Board

7. Upon the coming into force of this Act,

- (a) all real property that is vested for public school purposes in The Kitchener Public School Board, The Union Public School Board of Bridgeport or The Public School Board of the Township School Area of Waterloo becomes vested in the Board; and
- (b) all assets and liabilities of The Kitchener Public School Board, The Union Public School Board of Bridgeport and The Public School Board of the Township School Area of Waterloo become the assets and liabilities of the Board.

Outstanding
debentures

8.—(1) Debenture payments outstanding on the 31st day of December, 1966 with respect to real properties vested for public school purposes in The Kitchener Public School Board, The Union Public School Board of Bridgeport or The Public School Board of the Township School Area of Waterloo shall, on the 1st day of January, 1967, become the liability of the Board.

(2) Contracts for the transportation of pupils to ^{schools} and agreements with teachers employed in schools and other personnel employed by The Kitchener Public School Board, The Union Public School Board of Bridgeport or The Public School Board of the Township School Area of Waterloo on the 31st day of December, 1966 shall, on the 1st day of January, 1967, become obligations of the Board. ^{Outstanding contracts}

9.—(1) All debentures to be issued for the construction of public elementary schools of the Board, or additions thereto, shall be issued by The Corporation of the City of Kitchener. ^{Debentures for construction}

(2) The council of the City of Kitchener shall be deemed to be a majority for the purpose of subsection 4 of section 63 of *The Public Schools Act*. ^{Council deemed majority for purposes of R.S.O. 1960, c. 330, s. 63, subs. 4}

10. The provisions of *The Public Schools Act* and *The Schools Administration Act* that are not inconsistent with this Act apply to the Board. ^{Application of R.S.O. 1960, cc. 330, 361}

11. The public school section under the jurisdiction of the Board shall not be altered or dissolved without the consent of the Minister of Education. ^{Dissolution of section}

12. The annual requisition of the Board shall be apportioned on the basis of the assessment for public school purposes in each municipality in the preceding year, adjusted by the latest provincial equalization factor supplied by the Department of Municipal Affairs or upon such other basis as may be agreed upon by all the municipalities. ^{Apportionment of requisition of Board}

13. This Act shall be deemed to have come into force on the 1st day of January, 1967. ^{Commencement}

14. This Act may be cited as *The Kitchener and District Public School Board Act, 1967*. ^{Short title}

CHAPTER 117

**An Act respecting
The Board of Education for the City of London**

*Assented to March 22nd, 1967
Session Prorogued June 15th, 1967*

WHEREAS The Board of Education for the City of Preamble
London, herein called the Board, by its petition has represented that on the 12th day of July, 1927, it entered into a contract of group life insurance for its employees and its superannuated employees and amended the said contract from time to time; and whereas the petitioner has prayed for special legislation to ratify the agreement as it applied to superannuated employees and to authorize the petitioner to continue to provide group life insurance for superannuated employees and present employees upon superannuation; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) The contract of group life insurance entered into Contract validated
between the Board and The London Life Insurance Company dated the 12th day of July, 1927, set forth in Schedule A hereto, as amended by the endorsements set forth in Schedules B to R hereto, shall be deemed to have been validly entered into and to be legal and binding upon the parties thereto and all payments, acts and matters carried out or done thereunder are hereby ratified and confirmed.

(2) The Board shall continue to contribute such amounts Contribution by Board
as are necessary toward the cost of group life insurance in accordance with the said contract for,

- (a) persons superannuated by the Board before this Act comes into force;
- (b) persons in the employ of the Board when this Act comes into force; and

(c)

(c) persons referred to in clause *b* after their superannuation,

R.S.O. 1960, subject to section 41 of *The Schools Administration Act* in
c. 361 respect of persons entering the employment of the Board
after this Act comes into force.

Commence-
ment

2. This Act comes into force on the day it receives Royal Assent.

Short title

3. This Act may be cited as *The London Board of Education Act, 1967*.

SCHEDULE A

THE LONDON LIFE INSURANCE COMPANY

Group Policy No. G-266 LONDON CANADA (*Herein called the Company*)

HEREBY INSURES THE LIVES OF

those employees of THE BOARD OF EDUCATION of London, Canada,
(*Herein called the Employer*)

who are eligible for insurance in accordance with the Formula on the second page hereof and who make written application for insurance as hereinafter provided, the terms and particulars of the insurance under this Policy being as hereinafter set forth.

Plan of Insurance:

The insurance under this Policy is Term Insurance, commencing at noon Standard Time at the place of employment on the Twelfth day of July 1927, herein referred to as the Effective Date; and such insurance shall, subject to the terms of the Policy, be automatically continued in force upon condition of the payment of premiums as hereinafter provided.

Payment of Sum Insured:

The amount for which any employee is insured hereunder in accordance with the Formula and as set forth in the Register hereinafter described, shall be payable by the Company at its Head Office, in lawful money of Canada, upon receipt of proof that such employee has died while so insured.

Payment in the event of Total and Permanent Disability shall be made under the conditions set forth in Clause 15.

Beneficiary:

The amount payable in the event of the death of any such employee shall be for the benefit of the Beneficiary designated by such employee and named in the Register herein referred to, subject to change of Beneficiary in accordance with Clause 11. If there be no Beneficiary entitled, the amount payable shall be for the benefit of the executors, administrators or assigns of such employee.

Premiums:

Premiums calculated in accordance with the provisions relating thereto on the subsequent pages hereof, are payable quarterly in advance on the Twelfth day of each month of July, October, January and April during the continuance of this Policy, the first premium becoming due and payable on the above-mentioned Effective Date.

Policy Years:

In the interpretation of this contract the Policy years and months are to be computed from the said Effective Date.

This Policy shall be subject to all the provisions set forth on the subsequent pages hereof and to Clause 18 attached hereto.

WITNESS

WITNESS the seal of the Company, the signatures of the President, General Manager and Registrar of the Company, this Fifth day of October A.D. Nineteen Hundred and Twenty-seven.

THE LONDON LIFE INSURANCE CO.,
LONDON, CANADA:

ALBERT O. JEFFERY,
President.

EDWARD E. REID,
General Manager.

H. R. LAURIE,
Registrar.

[Seal]

PRIVILEGES AND CONDITIONS

1. *Formula:*

ELIGIBILITY

The following are eligible to make application for insurance hereunder:

- (a) All permanent employees who are actively employed by the Employer on the Effective Date of this Policy, or if not so employed, on their return to active service;
- (b) All employees who subsequent to the Effective Date become permanent employees of the Employer; and such employees shall be eligible to make application on the date of becoming so employed.

COVERAGE

Each eligible employee shall be entitled to secure an amount of insurance in accordance with the class of employee to which he belongs as shown in the following schedule:

Executive Heads	\$5,000.00
Male Teachers and Attendance Officer	2,000.00
Female Teachers	1,000.00
All other permanent employees	1,000.00

All Employees who are superannuated after the Effective Date of this Policy shall be entitled to continue their insurance for the same amount as they were insured on the date of superannuation.

2. *Individual Certificate:*

The Company will issue to the Employer for delivery to each person whose life is insured hereunder an individual certificate setting forth the insurance protection to which such person is entitled hereunder.

3. *Payment of Premiums:*

All premiums are payable in advance at the Head Office of the Company, but may be paid elsewhere in exchange for the Company's printed receipt, signed by the President or a Vice-President, and the General Manager or Assistant Manager, and countersigned by an authorized agent of the Company.

Thirty-one days' grace is allowed for the payment of all premiums except the first, during which time this Policy shall remain in force. If any premium be not paid within the days of grace, this Policy shall thereupon become void, but a *pro rata* premium shall, nevertheless, be paid for the days of grace or for the period between the date on which the premium became due and the date of written notice to the Company that the insurance will not be renewed.

The amount of each premium payable under this Policy shall be the aggregate of the several amounts payable in respect of each person insured hereunder at the time such premium falls due, calculated on the basis of the amount of insurance on the life of such person and his attained age (at nearest birthday) at the beginning of the then current Policy year in accordance with the table following.

The Table of Premiums as set forth below may be changed by the Company at the end of any Policy year, provided not less than six months' notice in writing shall have been given to the Employer.

Table of Quarterly Premiums for \$1,000 of Insurance

Attained Age Nearest Birthday	Premium	Attained Age Nearest Birthday	Premium	Attained Age Nearest Birthday	Premium
15	\$1.37	35	\$1.72	55	\$5.07
16	1.39	36	1.76	56	5.47
17	1.42	37	1.81	57	5.92
18	1.44	38	1.87	58	6.40
19	1.47	39	1.93	59	6.92
20	1.50	40	2.00	60	7.49
21	1.52	41	2.09	61	8.11
22	1.55	42	2.19	62	8.78
23	1.57	43	2.29	63	9.52
24	1.58	44	2.42	64	10.31
25	1.60	45	2.56	65	11.18
26	1.61	46	2.71	66	12.10
27	1.62	47	2.88	67	13.12
28	1.63	48	3.07	68	14.21
29	1.63	49	3.28	69	15.39
30	1.64	50	3.51	70	16.66
31	1.64	51	3.77	71	18.04
32	1.65	52	4.05	72	19.52
33	1.67	53	4.36	73	21.12
34	1.70	54	4.70	74	22.84

4. Stipulation:

It is hereby specifically agreed that,

- (a) at least seventy-five per cent of the employees eligible to make application for insurance under this Policy must have done so before any insurance under this Policy will become effective;
- (b) if any Employee who is not insured under this Policy on the Effective Date does not make application for insurance within ninety days after such date or after the date on which he becomes eligible for insurance, or if any employee re-applies for insurance after his insurance has been cancelled for any reason other than

termination

termination of employment, such employee shall be required to furnish evidence of insurability satisfactory to the Company before becoming insured hereunder;

- (c) the Company reserves the right to decline to continue this Policy in force on any anniversary of the Effective Date hereof when the number of Employees insured hereunder is less than seventy-five per cent of those eligible for insurance on such anniversary;
- (d) the contribution from any individual employee for the insurance carried on such employee's life shall not be at a higher rate than sixty cents per month per \$1,000 of insurance.

5. *Register:*

A Register shall be kept by the Company (in card index form) which shall show the names of all Employees insured hereunder, and the amount of insurance on each of such Employees. Copy of said Register, as of the date of this Policy, is furnished to the Employer herewith and made part hereof, and copies of entries in said Register subsequent to said date will be furnished by the Company to the Employer and will thereupon become a part hereof.

6. *Cancellation of Insurance:*

The insurance on each employee insured hereunder shall, subject to the other terms of this Policy, continue until written request shall have been given to the Company by the Employer for cancellation of said insurance. If such request is received at the Head Office of the Company within thirty-one days after the date stated therein by the Employer for cancellation of the insurance, the insurance on such life shall terminate from the date stated in such request; but if more than thirty-one days shall have elapsed from the date for cancellation stated in the Employer's request, the insurance shall terminate from the date upon which such request is received by the Company. Refund of premiums in such cases shall be made in accordance with Clause 9 hereof. If failure to make such written request be due to clerical error on the part of the Employer, the premium refund shall be calculated from the date on which the insurance would, but for such error, have been cancelled.

7. *New Employees:*

Each new employee of the Employer shall be insured hereunder in accordance with the Formula, provided such employee makes written application for such insurance, on forms furnished by the Company, within the time and in accordance with the provisions specified in Clause 4 hereof, and the insurance on such new employee shall, unless otherwise provided herein, be effective on the date on which he becomes eligible for insurance or the date of such written application, whichever is the later. The Employer agrees to furnish to the Company the names and individual applications of such employees as they make application for insurance hereunder together with the data necessary for the purposes of the insurance; and the name of each such employee so reported, together with the amount of insurance issued, shall be entered by the Company in the said Register as of the date upon which the insurance on such employee is to take effect.

8. *Change in Amount of Insurance:*

The amount of insurance on any employee insured hereunder shall be automatically increased or decreased in accordance with the Formula. Where such increases or decreases in insurance are based on facts other than length of service of the employee, the Employer agrees to report to the Company in writing the names of all employees insured hereunder upon whose lives insurance is to be increased or decreased, together with the data necessary to compute the amount of such increase or decrease. (This clause shall be inapplicable if no increase or decrease of insurance is provided in the Formula set forth herein.)

9. *Premium Adjustment:*

Premium adjustment shall be made on account of changes in the insurance under this Policy, as follows:

There shall be refunded to the Employer any unearned premium paid on account of any employee insured hereunder whose insurance has been cancelled or decreased, such premium being calculated on a *pro rata* basis in respect of the period elapsing between the date the insurance terminates and the date to which the premium is paid.

There shall be charged to the Employer the premium for new insurance granted to employees becoming insured or for increases in insurance, such premium being calculated on a *pro rata* basis in respect of the period elapsing between the date the insurance becomes effective and the date when the next premium falls due.

In the calculation of premium adjustments an average premium shall be used, such average premium being determined by dividing the whole premium due at the beginning of the then current Policy year by the number of thousands of dollars of insurance in force under this Policy at the beginning of such year; and in the determination of the premium in respect of any period on a *pro rata* basis any portion of a Policy month less than one-half thereof shall be ignored and any portion of a Policy month greater than one-half thereof shall be treated as a full month.

10. *Conversion:*

In case of the termination of insurance on the life of any employee insured hereunder on account of such employee leaving the service of the Employer for any reason whatsoever, such employee shall have the right, upon written application to the Company within thirty-one days after such termination of insurance, to obtain, without medical examination, a new Policy on any one of the regular plans then issued by the Company, except Term Insurance, without Disability or Double Indemnity Benefits, for an amount not exceeding the amount for which said employee was insured hereunder at the time of such termination of insurance; the premium for such Policy to be at the then current rates of the Company, applicable to the class of risk to which such person belongs and to the plan and amount of Policy at the then attained age of such employee.

10A. *Conversion (Continued):*

Under the conditions specified in Clause 10 regarding conversion of insurance in case of termination of employment, an employee may secure a new policy dated as of the date when such employee became insured hereunder, on any one of the regular plans of insurance then issued by the Company, except Term Insurance, without Disability or Double Indemnity Benefits, at the premium which would have been payable if such new policy had been issued on the date when the insurance on such employee became effective hereunder, provided that there shall be payable to the Company the difference, with interest compounded annually at such rate not exceeding seven per cent as the Directors may determine, between the premiums which would have been payable under the new policy, reduced by any dividends which would have been payable, and the amount of the premiums paid to the Company in respect of the insurance on the life of such employee under this policy, reduced by any dividends in respect of such insurance.

H. R. LAURIE,
Registrar.

11. *Beneficiary:*

Any employee insured hereunder may, subject to the provisions of the law governing the same, appoint a beneficiary or may change the beneficiary already appointed or may declare that the insurance shall be for the benefit of his estate, by writing signed by such employee and deposited by the Employer with the Company at its Head Office.

12. *Age:*

If the age of any employee insured hereunder has been misstated, the amount payable under this contract shall be the full amount of insurance in force hereunder on such life, but premium adjustment shall be made so that the Employer shall pay to the Company arrears of premiums for the full time such insurance has been in force if the age has been understated, and the Company shall refund to the Employer the excess premiums paid if the age has been overstated.

13. *Incontestability:*

If the premiums are duly paid, this Policy shall, except in case of fraud or of error in age, be incontestable as to the insurance upon the life of any person insured hereunder after one year from the date on which the insurance on the life of such person commenced.

14. *Entire Contract Contained in Policy:*

This Policy, including the copy of the Register herein referred to, the application of the Employer, a copy of which is attached hereto, and the individual applications of the employees, shall constitute the entire contract between the parties. All statements made by the Employer or by any employee shall, in the absence of fraud, be deemed representations and not warranties and no such statement shall be used in defence to a claim under this Policy unless it is contained in a written application for the insurance and a copy of such application is attached to this Policy or delivered to the Employer to be so attached. This contract cannot be altered or varied in any way except in writing signed by the President, a Vice-President, the General Manager, Registrar or Assistant Registrar of the Company, and any interlineations, additions or alterations must be signed or initialed by one of the aforesaid officers.

15. *Disability Benefits:*

If evidence satisfactory to the Company is received at its Head Office that any employee while insured hereunder has become totally and permanently disabled by accident, injury, or disease before attaining the age of sixty years, so that he will be permanently, continuously and wholly prevented thereby from performing any work for compensation or profit, then, subject to the provisions of the second paragraph hereof, the Company will, in lieu of all other benefits provided for on such life under this Policy, waive that portion of each premium applicable to the insurance on the life of such disabled person, that may become payable thereafter under this Policy during such disability, and in addition to such waiver will pay to such employee the amount of insurance then in force on his life in the following manner: For each \$1,000 of such insurance, payment will, subject to election by the Employer, be made in five annual instalments of \$214.00 each, ten annual instalments of \$116.00 each, fifteen annual instalments of \$84.00 each, twenty annual instalments of \$68.00 each, or sixty monthly instalments of \$18.00 each, the first instalment being payable upon receipt of the said evidence of disability; or in lieu of payment in instalments the Employer may, subject to the approval of the Company, elect to have such insurance immediately paid in one sum. If the said employee dies during the period of total and permanent disability, any instalments remaining unpaid shall be payable as they become due to the Beneficiary of such employee, and such Beneficiary shall have the right to commute such remaining instalments into one sum on an interest basis of three and one-half per cent per annum.

Provided always that, notwithstanding such evidence of disability may have been accepted by the Company, the said employee shall during the continuance of any instalment payments, furnish satisfactory evidence of the continuance of such disability as often as required by the Company, but not oftener than once a year after such disability shall have continued for two full years. If said employee shall fail to furnish such evidence or if he shall so far recover as to be able to engage in any gainful occupation, then further waiver of premiums and payment of instalments on account

of such employee shall cease. Any further insurance on the life of such employee shall be limited to the commuted value, on an interest basis of three and one-half per cent, per annum, of the instalments remaining unpaid on account of such person at the time of such recovery.

Without prejudice to any other cause of total and permanent disability, the Company will consider the entire and irrecoverable loss of the sight of both eyes, or the total and permanent loss of use of both hands, or of both feet, or of one entire hand and one entire foot, as total and permanent disability within the meaning of this provision.

The amounts of the instalments above provided are based on an assumed interest earning of three and one-half per cent. If a higher rate of interest be earned, an interest dividend of such amount as the Company may each year determine shall be payable annually after the first instalment falls due.

16. Instalment Settlement:

Any employee insured hereunder may, by filing a written notice at the Head Office of the Company, change the terms of payment of the insurance hereunder on his life so that the Company, instead of paying such insurance in one sum, will make settlement by the payment of instalments of such amount not less than ten dollars and at such intervals as such employee may, with the approval of the Company, stipulate; or if no such notice shall have been filed prior to the death of such employee, the Employer may under like conditions change the terms of payment of the said insurance. Interest shall be allowed on the balance of the proceeds from time to time at the credit of the payee at such rate not less than three and one-half per cent, per annum, compounded annually, as the Directors may each year determine.

17. Annual Dividends:

Upon payment of the second year's premium and at the end of the second and each subsequent Policy year, the Employer, while this Policy is in force, will be credited with such dividends as may be apportioned by the Directors under the rules and regulations then in force. Dividends shall, at the option of the Employer, be either (a) paid in cash or (b) applied in reduction of the next subsequent premium.

SCHEDULE B

TO BE ATTACHED TO AND FORM PART OF GROUP POLICY NO. G-266

issued to

THE BOARD OF EDUCATION, LONDON

It is hereby agreed that the above policy be changed so as to provide that the insurance on any employee shall be determined in accordance with the following schedule:

Executive Heads	\$10,000
Male Teachers and Attendance Officer	4,000
Female Teachers and Office Staff	2,000
All Other Permanent Employees	1,000

The Schedule of insurance above set forth shall become effective upon the 17th day of November, 1928.

The other provisions of the policy remain unchanged.

Dated at London, Canada, this 6th day of February, 1930.

(Sgd.).....
Registrar

SCHEDULE C

TO BE ATTACHED TO AND FORM PART OF GROUP POLICY NO. G-266

issued to

THE LONDON BOARD OF EDUCATION

(the Employer)

In accordance with the request dated October 31, 1945 made on behalf of the above-mentioned Policy-holder (copy of which is attached hereto) the terms of the above-numbered Group Policy are hereby changed so as to provide that, effective from November 1, 1945, the School Attendance Officer and the Director of Vocational Guidance shall be eligible for \$10,000 of insurance under the said Group Policy, subject to the other terms and provisions thereof.

Dated at London, Canada, this 9th day of November, 1945.

(Sgd.).....
Registrar

SCHEDULE D

TO BE ATTACHED TO AND FORM PART OF GROUP POLICY NO. G-266

issued to

THE LONDON BOARD OF EDUCATION

(the Employer)

In accordance with the request dated May 12, 1947 made by the above-mentioned Employer (copy of which is attached hereto) the terms of the above-numbered Group Policy are hereby changed so as to provide that effective from June 1, 1947 public school principals shall be eligible for \$10,000 of insurance under the said Group Policy. It is provided, however, that no increase in the amount of insurance resulting from this change in schedule shall be made while an employee is not actively at work for the said Employer on full time and for full pay.

Dated at London, Canada, this 19th day of May, 1947.

(Sgd.).....
Registrar

SCHEDULE E

TO BE ATTACHED TO AND FORM PART OF GROUP POLICY NO. G-266

issued to

THE BOARD OF EDUCATION

(the Employer)

In accordance with the request dated June 24, 1948 made by the above-mentioned Employer (copy of which is attached hereto) the terms of the above-numbered Group Policy are hereby changed to provide that effective from August 1, 1948 the Schedule of Insurance shall be as follows:

Class of Employee	Amount of Life Insurance
Executive heads, School Attendance Officer, Director of Vocational Guidance and Public School Principals.....	\$10,000.00
Other Male Teachers.....	4,000.00
Female Teachers, Office Staff and Dentists..	2,000.00
Caretaking and Maintenance Staffs.....	2,000.00

It is provided that no increase in the amount of Insurance resulting from the above-mentioned change in schedule shall take effect while an employee is not actively at work for the said Employer on full time and for full pay.

Dated at London, Canada, this 28th day of June, 1948.

(Sgd.).....
Registrar

SCHEDULE F

SCHEDULE F

TO BE ATTACHED TO AND FORM PART OF GROUP POLICY NO. G-266

issued to

THE BOARD OF EDUCATION LONDON, CANADA

(*the Employer*)

In accordance with the request dated September 27, 1949 made by the above-mentioned Employer (copy of which is attached hereto) the terms of the above-numbered Group Policy are hereby changed to provide that effective from October 12, 1949 the Schedule of Insurance shall be increased to the following:

Class of Employee	Amount of Life Insurance
Executive Heads, School Attendance Officers, Director of Vocational Guidance and Public School Principals.....	\$15,000.00
Other Male Employees.....	8,000.00
Female Teachers, Office Staff and Dentists.	2,000.00
Caretaking and Maintenance Staff.....	2,000.00

It is provided that no increase in the amount of Insurance resulting from the above-mentioned change in schedule shall become effective originally while an employee is not actively at work for the said Employer on full time and for full pay.

Dated at London, Canada, this 27th day of September, 1949.

(Sgd.).....
Registrar

SCHEDULE G

TO BE ATTACHED TO AND FORM PART OF GROUP POLICY NO. G-266

issued to

THE BOARD OF EDUCATION OF LONDON, CANADA

(the Employer)

This is to certify that effective from July 12, 1951 the table of quarterly premium rates per \$1,000 of insurance shall be as shown below, subject to the provisions and conditions of the said Group Policy.

Attained Age Nearest Birthday	Premium	Attained Age Nearest Birthday	Premium	Attained Age Nearest Birthday	Premium	Attained Age Nearest Birthday	Premium
15	\$1.12	30	\$1.37	45	\$2.48	60	\$7.31
16	1.14	31	1.39	46	2.64	61	7.89
17	1.16	32	1.42	47	2.81	62	8.53
18	1.18	33	1.45	48	3.01	63	9.21
19	1.20	34	1.49	49	3.22	64	9.95
20	1.22	35	1.53	50	3.46	65	10.75
21	1.24	36	1.58	51	3.72	66	11.60
22	1.27	37	1.64	52	4.01	67	12.53
23	1.28	38	1.72	53	4.31	68	13.52
24	1.30	39	1.79	54	4.65	69	14.59
25	1.32	40	1.88	55	5.02	70	15.75
26	1.32	41	1.98	56	5.41	71	17.01
27	1.34	42	2.09	57	5.83	72	18.37
28	1.34	43	2.20	58	6.28	73	19.84
29	1.36	44	2.34	59	6.77	74	21.43

It is further provided that if the total amount of life insurance in force under the said Group Policy on any premium due date exceeds \$100,000 the total premium as determined from the Table of Premiums shown above will be reduced by \$0.18 quarterly per \$1,000 of the insurance in excess of \$100,000.

Dated at London, Canada, this 3rd day of July, 1951.

(Sgd.).....
Registrar

SCHEDULE H

SCHEDULE H

TO BE ATTACHED TO AND FORM PART OF GROUP POLICY NO. G-266

issued to

THE BOARD OF EDUCATION OF LONDON, CANADA

(*the Employer*)

In accordance with the request dated October 15, 1951 made by the above-mentioned Employer (copy of which is attached hereto) the terms of the above-numbered Group Policy are hereby changed to provide that effective from October 12, 1949 the Schedule of Insurance shall be as follows:

Class of Employee	Amount of Insurance
Executive Heads, School Attendance Officers, Directors of Vocational Guidance, School Principals and Vice-Principals.....	\$15,000.00
Other Male Employees.....	8,000.00
Full-time Female Employees and Part time Dentists.....	2,000.00
Caretaking and Maintenance Staff.....	2,000.00

It is provided that no increase in the amount of insurance resulting from the above-mentioned change in schedule shall take effect while an employee is not actively working for the Employer on full time and for full pay.

Dated at London, Canada, this 24th day of October, 1951.

(Sgd.).....
Registrar

SCHEDULE I

TO BE ATTACHED TO AND FORM PART OF GROUP POLICY NO. G-266

issued to

THE BOARD OF EDUCATION OF LONDON, CANADA

(the Employer)

In accordance with the request dated January 6, 1954 made by the above-mentioned Employer (copy of which request is attached hereto) the terms of the above-numbered Group Policy are hereby changed to provide that effective from January 12, 1954 the Schedule of Insurance shall be as follows:

Class of Employee	Amount of Life Insurance
Executive Heads, School Attendance Officers, Director of Vocational Guidance and Public School Principals and Vice- Principals	\$15,000.00
Other Male Employees.....	8,000.00
Full-time Female Teachers, and Part-time Dentists.....	2,000.00
Caretaking and Maintenance Staff.....	3,000.00

It is provided that no increase in the amount of an employee's insurance resulting from the above-mentioned change in schedule shall take effect while such employee is not actively working for the said Employer on full time and for full pay.

Dated at London, Canada, this 22nd day of January, 1954.

(Sgd.).....
Registrar

SCHEDULE J

TO BE ATTACHED TO AND FORM PART OF GROUP POLICY NO. G-266

issued to

THE BOARD OF EDUCATION OF LONDON, CANADA

(the Employer)

This is to certify that effective from July 12, 1954 the terms of the above-numbered Group Policy shall be as follows:

(1) The table of quarterly premium rates per \$1,000 of insurance shall be as shown below, subject to the provisions and conditions of the said Group Policy.

These rates shall be subject to a discount of 14 per cent.

Attained Age Nearest Birthday	Premium	Attained Age Nearest Birthday	Premium	Attained Age Nearest Birthday	Premium	Attained Age Nearest Birthday	Premium
15	\$0.95	30	\$1.20	45	\$2.29	60	\$7.02
16	.97	31	1.22	46	2.44	61	7.59
17	1.00	32	1.24	47	2.61	62	8.21
18	1.01	33	1.28	48	2.81	63	8.89
19	1.03	34	1.31	49	3.01	64	9.61
20	1.05	35	1.35	50	3.24	65	10.39
21	1.07	36	1.40	51	3.50	66	11.23
22	1.10	37	1.47	52	3.78	67	12.13
23	1.11	38	1.54	53	4.08	68	13.11
24	1.13	39	1.61	54	4.42	69	14.16
25	1.14	40	1.70	55	4.77	70	15.30
26	1.15	41	1.79	56	5.16	71	16.53
27	1.17	42	1.90	57	5.57	72	17.86
28	1.17	43	2.01	58	6.01	73	19.30
29	1.18	44	2.15	59	6.50	74	20.87

In the calculation of premium adjustments an average premium shall be used, such average premium being determined by dividing the total premium due at the beginning of the then current Policy-year by the number of thousands of dollars of insurance in force under this Policy at the beginning of such Policy-year; and in the determination of the premium in respect of any period on a *pro rata* basis any fractional portion of a Policy month shall be ignored and account shall be taken only of the number of complete Policy months elapsing before the next premium date.

Dated at London, Canada, this 29th day of June, 1954.

(Sgd.).....
Registrar

SCHEDULE K

TO BE ATTACHED TO AND FORM PART OF GROUP POLICY NO. G-266

issued to

THE BOARD OF EDUCATION OF LONDON, CANADA

(the Employer)

In accordance with the request dated May 2, 1955 made by the above-mentioned Employer (copy of which request is attached hereto) the terms of the above-numbered Group Policy are hereby changed to provide that effective from June 1, 1955 the Schedule of Life Insurance shall be changed as follows:

Class of Employee	Amount of Life Insurance
Executive Heads, School Attendance Officers, Director of Vocational Guidance, School Principals and Vice Principals.....	\$15,000.00
Other Male Employees.....	8,000.00
Caretaking and Maintenance Staff.....	5,000.00
Full-time Female Employees and Part-time Dentists.....	2,000.00

Male Employees age 65 and over and Female Employees age 60 and over are not eligible for insurance as new employees or for increases resulting from increases in schedule; no reductions in amounts of insurance are made on attainment of these ages for employees already insured.

It is provided that no increase in the amount of an employee's insurance resulting from the above-mentioned change in schedule shall take effect while such employee is not actively working for the said Employer on full time and for full pay.

Dated at London, Canada, this 30th day of May, 1955.

(Sgd.).....
Registrar

SCHEDULE L

TO BE ATTACHED TO AND FORM PART OF GROUP POLICY NO. G-266

issued to

THE BOARD OF EDUCATION OF LONDON, CANADA

(the Employer)

This is to certify that effective from July 12, 1956 the terms of the above-numbered Group Policy shall be as follows:

(1) The table of quarterly premium rates per \$1,000 of insurance shall be as shown below, subject to the provisions and conditions of the said Group Policy.

These rates shall be subject to a discount of 19 per cent.

Attained Age Nearest Birthday	Premium	Attained Age Nearest Birthday	Premium	Attained Age Nearest Birthday	Premium	Attained Age Nearest Birthday	Premium
15	\$1.05	30	\$1.09	45	\$2.12	60	\$7.13
16	1.06	31	1.11	46	2.32	61	7.71
17	1.06	32	1.14	47	2.54	62	8.35
18	1.07	33	1.17	48	2.80	63	9.06
19	1.07	34	1.21	49	3.08	64	9.85
20	1.08	35	1.26	50	3.38	65	10.72
21	1.08	36	1.30	51	3.69	66	11.67
22	1.08	37	1.35	52	4.01	67	12.69
23	1.08	38	1.41	53	4.34	68	13.79
24	1.08	39	1.47	54	4.67	69	14.98
25	1.08	40	1.53	55	5.01	70	16.24
26	1.08	41	1.61	56	5.37	71	17.59
27	1.08	42	1.70	57	5.75	72	19.02
28	1.08	43	1.82	58	6.16	73	20.55
29	1.08	44	1.95	59	6.62	74	22.17

In the calculation of premium adjustments an average premium shall be used, such average premium being determined by dividing the total premium due at the beginning of the then current Policy-year by the number of thousands of dollars of insurance in force under this Policy at the beginning of such Policy-year; and in the determination of the premium in respect of any period on a *pro rata* basis any fractional portion of a Policy month shall be ignored and account shall be taken only of the number of complete Policy months elapsing before the next premium date.

Dated at London, Canada, this 27th day of July, 1956.

(Sgd.)..... (Sgd.).....
Examiner Registrar

SCHEDULE M

TO BE ATTACHED TO AND FORM PART OF GROUP POLICY NO. G-266

issued to

THE BOARD OF EDUCATION OF LONDON, CANADA

(the Employer)

In accordance with the request dated July 9, 1958 made by the above-mentioned Employer, the terms of the above-numbered Group Policy are hereby changed so that effective from July 15, 1958 (herein called the Date of Change) the Schedule of Insurance shall be as follows:

Class of Employee	Amount of Insurance
Executive Heads, School Attendance Officers, Director of Vocational Guidance, School Principals and Vice-Principals.....	\$15,000.00
Caretaking, Maintenance Staff and other Male Employees.....	8,000.00
Full-time Female Employees and Part-time Dentists.....	2,000.00

It is provided that any increase in the amount of an employee's insurance resulting from the adoption of the above-mentioned Schedule shall take effect only if the employee is actively at work for the said Employer on full time and for full pay on the above-mentioned Date of Change. Any employee not actively at work on the said date shall be eligible for the increased amount of insurance upon his return to work with the Employer on full time and for full pay.

Dated at London, Canada, this 14th day of August, 1958.

(Sgd.)..... (Sgd.).....
Examiner Registrar

SCHEDULE N

TO BE ATTACHED TO AND FORM PART OF GROUP POLICY NO. G-266

issued to

THE BOARD OF EDUCATION OF LONDON, CANADA

(the Employer)

In accordance with the request dated March 6, 1959 made by the above-mentioned Employer the terms of the above-numbered Group Policy are changed so that effective from March 1, 1959 (herein called the Date of Change) Vice-Principals of Public Schools shall be eligible for \$15,000 of insurance under the said Group Policy.

This increase shall be subject to the provisions of the said Group Policy. It is provided as well that any increase in the amount of an employee's insurance resulting from the adoption of the above-mentioned Schedule shall take effect only if the employee is actively at work for the said Employer on full time and for full pay on the above-mentioned Date of Change. Any employee not actively at work on the said date shall be eligible for the increased amount of insurance upon his return to work with the Employer on full time and for full pay.

Dated at London, Canada, this 9th day of April, 1959.

(Sgd.)..... (Sgd.).....
Examiner Registrar

SCHEDULE O

TO BE ATTACHED TO AND FORM PART OF GROUP POLICY NO. G-266

issued to

THE BOARD OF EDUCATION OF LONDON, CANADA

(the Employer)

In accordance with the request dated February 16, 1961 made by the above-mentioned Employer the terms of the above-numbered Group Policy are hereby changed to provide that any employee or teacher added to the payroll of the London Board of Education as a result of annexation on January 1, 1961, and who was 55 years of age or over on the said date or becomes 55 years of age on or before June 30, 1961, shall not be eligible for insurance under the said Policy.

Dated at London, Canada, this 27th day of February, 1961.

(Sgd.)..... (Sgd.).....
Examiner Registrar

SCHEDULE P

SCHEDULE P

TO BE ATTACHED TO AND FORM PART OF GROUP POLICY NO. G-266

issued to

THE BOARD OF EDUCATION OF LONDON, CANADA

(*the Employer*)

This is to certify that effective from July 12, 1961, Clause 3. "Payment of Premiums" and Clause 9. "Premium Adjustment" as at present contained in the said Policy are hereby cancelled and replaced by the following clauses:

"3. Payment of Premiums.—All premiums are payable in advance at the Head Office of the Company, but may be paid elsewhere in exchange for the Company's printed receipt, signed by the President or a Vice-President and the Managing Director, General Manager or Assistant Manager, and countersigned by an authorized agent of the Company.

Thirty-one days of grace is allowed for the payment of all premiums except the first, during which time this Policy shall remain in force unless the Employer shall notify the Company that this Policy is to be cancelled. If any premium be not paid within the period of grace, this Policy shall become void on the expiration of such period, but a *pro rata* premium shall nevertheless be paid for the days of grace. If, however, written notice is given by the Employer to the Company that this Policy is to be cancelled, this Policy shall terminate on the date of receipt of such written notice by the Company or on the date of cancellation specified by the Employer, whichever is the later, and the Employer shall be liable to the Company for the payment of the *pro rata* premium for the period between the last premium due date and the date of termination.

The amount of each premium payable under this Policy shall be the aggregate of the several amounts payable in respect of each person insured hereunder at the time such premium falls due, calculated on the basis of the amount of insurance on the life of such person and his attained age (at nearest birthday) at the beginning of the then current Policy-year in accordance with the table of premiums applicable during such Policy-year, multiplied by a premium factor determined by the Company as applicable to this Policy at the time the premium is calculated.

The Table of Premiums hereinafter set forth shall be applicable to this Policy on the above-mentioned date and thereafter until altered by the Company, but the Company may change such table at the end of any Policy-year. The premium factor applicable for the Policy-year commencing July 12, 1961 shall be 1.80.

Attained Age Nearest Birthday	Premium	Attained Age Nearest Birthday	Premium	Attained Age Nearest Birthday	Premium	Attained Age Nearest Birthday	Premium	Attained Age Nearest Birthday	Premium	Attained Age Nearest Birthday	Premium
15	\$0.19	25	\$0.20	35	\$0.27	45	\$0.63	55	\$1.85	65	\$4.25
16	.19	26	.20	36	.29	46	.72	56	2.00	66	4.64
17	.19	27	.20	37	.31	47	.81	57	2.16	67	5.07
18	.19	28	.20	38	.34	48	.92	58	2.33	68	5.54
19	.19	29	.20	39	.36	49	1.04	59	2.53	69	6.03
20	.20	30	.20	40	.39	50	1.16	60	2.74	70	6.57
21	.20	31	.21	41	.42	51	1.29	61	2.98	71	7.13
22	.20	32	.22	42	.46	52	1.43	62	3.25	72	7.73
23	.20	33	.24	43	.51	53	1.56	63	3.55	73	8.37
24	.20	34	.25	44	.56	54	1.70	64	3.88	74	9.06

9. Premium Adjustment.—Premium adjustment shall be made on account of changes in the insurance under this Policy, as follows:

There shall be refunded to the Employer any unearned premium paid on account of any employee insured hereunder whose insurance has been cancelled or decreased, such premium being calculated on a *pro rata* basis in respect of the period elapsing between the date the insurance terminates and the date to which the premium is paid; provided, however, that if the Employer does not give notice to the Company that the insurance shall be cancelled or decreased within thirty-one days following the date the insurance terminates, the Company shall not be required to make a refund in respect of any period prior to the date the Employer gives such notice to the Company. If failure to notify the Company that the insurance on any employee should be cancelled be due to clerical error on the part of the Employer, the premium refund shall be calculated from the date on which the insurance would, but for such error, have been cancelled.

There shall be charged to the Employer the premium for new insurance granted to employees becoming insured or for increases in insurance, such premium being calculated on a *pro rata* basis in respect of the period elapsing between the date the insurance becomes effective and the date when the next premium falls due.

In the calculation of premium adjustments an average premium shall be used, such average premium being determined by dividing the total premium due at the beginning of the then current Policy-year by the number of thousands of dollars of insurance in force under this Policy at the beginning of such Policy-year; and in the determination of the premium in respect of any period on a *pro rata* basis any fractional portion of a Policy-month shall be ignored and account shall be taken only of the number of complete Policy months elapsing before the next premium date."

Dated at London, Canada, this 7th day of July, 1961.

(Sgd.).....
Examiner

(Sgd.).....
Registrar

SCHEDULE Q

TO BE ATTACHED TO AND FORM PART OF GROUP POLICY NO. G-266

issued to

THE BOARD OF EDUCATION OF LONDON, CANADA

(the Employer)

This is to certify that effective from July 12, 1964 the Table of Premiums per \$1,000 of insurance shall be as shown below, subject to the provisions and conditions of the said Group Policy.

Attained Age Nearest Birthday	Premium per \$1,000	Attained Age Nearest Birthday	Premium per \$1,000	Attained Age Nearest Birthday	Premium per \$1,000
15	\$0.16	35	\$0.21	55	\$1.79
16	0.19	36	0.23	56	1.96
17	0.22	37	0.26	57	2.14
18	0.24	38	0.29	58	2.33
19	0.25	39	0.32	59	2.53
20	0.25	40	0.36	60	2.76
21	0.24	41	0.40	61	3.00
22	0.23	42	0.45	62	3.24
23	0.21	43	0.51	63	3.50
24	0.19	44	0.58	64	3.78
25	0.18	45	0.66	65	4.08
26	0.17	46	0.75	66	4.42
27	0.16	47	0.84	67	4.84
28	0.16	48	0.94	68	5.32
29	0.15	49	1.04	69	5.87
30	0.16	50	1.15	70	6.49
31	0.16	51	1.26	71	7.18
32	0.17	52	1.37	72	7.95
33	0.18	53	1.49	73	8.81
34	0.19	54	1.63	74	9.71

Dated

Dated at London, Canada, this 21st day of May, 1964.

(Sgd.)..... (Sgd.).....
Examiner Registrar

SCHEDULE R

TO BE ATTACHED TO AND FORM PART OF GROUP POLICY NO. G-266
issued to

THE BOARD OF EDUCATION OF LONDON, CANADA
(the Employer)

This is to certify that effective from July 12, 1966 premiums under the above-numbered policy shall be payable monthly on the 12th day of each month, during the continuance of the said policy.

Dated at London, Canada, this 29th day of July, 1966.

(Sgd.)..... (Sgd.).....
Examiner Registrar

CHAPTER 118

An Act respecting the City of London

*Assented to March 22nd, 1967
Session Prorogued June 15th, 1967*

WHEREAS The Corporation of the City of London by ^{Preamble} its petition has prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) Section 2 of *The City of London Act, 1965* is amended ^{1965, c. 156, s. 2, amended} by adding thereto the following subsection:

(3a) A by-law shall not be passed under subsection 1 ^{Publication of notice} until at least seven days after notice of the intention to pass the by-law has been published twice, the publications being at least seven days apart.

(2) Subsection 5 of the said section 2 is amended by striking ^{1965, c. 156, s. 2, subs. 5, amended} out “for the approval of” in the second line and inserting in lieu thereof “in respect of”, so that the subsection shall read as follows:

(5) Where an application has been made to the Ontario Municipal Board in respect of a by-law passed under this section, a copy of the decision of the Board with respect to the application shall be supplied by the Board to the applicant and to each person who appeared in person or by counsel at the hearing of the application and who filed with the Board or the secretary of the Board a written request for notice of the decision. ^{Copies of decisions to be supplied}

2. Subsection 1 of section 2 of *The City of London Act, 1955* ^{1955, c. 104, s. 2, subs. 1, re-enacted} is repealed and the following substituted therefor:

(1) The Corporation is authorized and empowered to lease or license the use of untravelled portions of ^{Use of untravelled portions of highway} highways,

(a) within those portions of the City of London zoned for business or industrial purposes; or

(b) adjoining properties that are being lawfully used for such purposes,

to adjoining owners for such consideration and upon such terms and conditions as may be agreed.

1960,
c. 153, s. 2,
subs. 1, cl. f
(1961-62,
c. 155, s. 5),
re-enacted

3. Clause *f* of subsection 1 of section 2 of *The City of London Act, 1960*, as re-enacted by section 5 of *The City of London Act, 1961-62*, is repealed and the following substituted therefor:

(f) that past service pension shall be limited so that the combined past service pension and future service pension purchased with standard joint contributions on a five-year guaranteed basis and under the Ontario Municipal Employees Retirement Scheme shall not exceed the maximum pension that may be provided under subsection 4 of section 248*c* of *The Municipal Act*.

R.S.O. 1960,
c. 249

Commence-
ment

4. This Act comes into force on the day it receives Royal Assent.

Short title

5. This Act may be cited as *The City of London Act, 1967*.

CHAPTER 119

**An Act respecting The Public School Board
of Section No. 1 of the Township of Moose in
the District of Cochrane**

*Assented to March 22nd, 1967
Session Prorogued June 15th, 1967*

WHEREAS The Public School Board of Section No. 1 ^{Preamble}
of the Township of Moose in the District of Cochrane
by its petition has prayed for special legislation in respect of
the matters hereinafter set forth; and whereas it is expedient
to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent
of the Legislative Assembly of the Province of Ontario, enacts
as follows:

1. The Public School Board of Section No. 1 of the Town- ^{Debenture}
ship of Moose in the District of Cochrane is hereby authorized ^{by-law}
to pass a by-law without obtaining the approval of the Ontario ^{authorized}
Municipal Board to borrow a sum not exceeding \$50,000 upon
debentures payable in not more than twenty years to meet
the actual expenses incurred during 1966 in the construction
of four housing units situate on Lots 152, 153 and 154, Plan
M-14 Cochrane, in the Townsite of Moosonee, in the Town-
ship of Moose.

2. Sections 55, 56, 57 and 58 of *The Ontario Municipal* ^{Application}
Board Act apply in respect of a by-law passed under section 1 ^{of}
and the debentures to be issued thereunder. ^{R.S.O. 1960.}
^{c. 274}

3. For the purposes of every Act, the Ontario Municipal ^{Order of}
Board shall be deemed to have issued an order under section 64 ^{OMB}
of *The Ontario Municipal Board Act* authorizing The Public ^{deemed}
School Board of Section No. 1 of the Township of Moose ^{issued}
in the District of Cochrane to undertake the construction and
to issue debentures under section 1.

4. This Act comes into force on the day it receives Royal ^{Commence-}
Assent. ^{ment}

5. This Act may be cited as *The Public School Board of* ^{Short title}
Section No. 1 of the Township of Moose Act, 1967.

CHAPTER 120

An Act respecting the Township of Murray

*Assented to March 22nd, 1967
Session Prorogued June 15th, 1967*

WHEREAS The Corporation of the Township of Murray Preamble
by its petition has prayed for special legislation in
respect of the matters hereinafter set forth; and whereas it is
expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent
of the Legislative Assembly of the Province of Ontario, enacts
as follows:

1. The council of The Corporation of the Township of Debenture
by-law
authorized
Murray may pass a by-law, without obtaining the approval
of the Ontario Municipal Board, providing for the issue of
debentures of the Corporation in a principal amount not
exceeding \$60,000, payable in not more than fifteen years,
for the purpose of paying the balance owing for the construc-
tion of an addition to the Stockdale Public School.

2. Sections 55, 56, 57 and 58 of *The Ontario Municipal* Application
of
R.S.O. 1960,
c. 274
Board Act apply in respect of a by-law passed under section 1
and the debentures to be issued thereunder.

3. For the purposes of every Act, the Ontario Municipal By-law
deemed
approved
by O.M.B.
R.S.O. 1960,
cc. 330, 274
Board shall be deemed to have issued an order under section 63
of *The Public Schools Act* and section 64 of *The Ontario Muni-
cipal Board Act* authorizing The Public School Board of the
Township School Area of the Township of Murray to proceed
with the undertaking referred to in section 1 and authorizing
The Corporation of the Township of Murray to issue deben-
tures under section 1.

4. This Act comes into force on the day it receives Royal Commence-
ment
Assent.

5. This Act may be cited as *The Township of Murray Act*, Short title
1967.

CHAPTER 121

An Act respecting The Napanee and District Collegiate Institute Board

*Assented to March 22nd, 1967
Session Prorogued June 15th, 1967*

WHEREAS The Napanee and District Collegiate Institute Board by its petition has prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the petition. Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. In the event that, due to inclement weather or failure in transportation arrangements, daily transportation cannot be provided to and from the Township of Amherst Island for pupils of Grades 9, 10, 11, 12 and 13 attending a secondary school, as defined in *The Schools Administration Act*, outside the Township of Amherst Island, The Napanee and District Collegiate Institute Board may, in lieu of providing daily transportation, reimburse at the end of each month the parent or guardian for the cost of providing each pupil with board and lodging and transportation once a week from his residence to school and return in an amount not exceeding \$3 for each day of attendance as certified by the principal of the secondary school that the pupil attends, or for such amount as from time to time is authorized to be paid by a secondary school board in a territorial district for a pupil who resides in a territorial district and attends a secondary school under the provisions of *The Schools Administration Act*, in lieu of providing daily transportation to and from school as provided in that Act. Allowance in lieu of transportation from Amherst Island
R.S.O. 1960, c. 361

2. This Act shall be deemed to have come into force on the 1st day of January, 1967. Commencement

3. This Act may be cited as *The Napanee and District Collegiate Institute Board Act, 1967*. Short title

CHAPTER 122

An Act respecting the Municipality of Neebing

*Assented to March 22nd, 1967
Session Prorogued June 15th, 1967*

WHEREAS The Corporation of the Municipality of Neebing by its petition has prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1.—(1) Subsection 2 of section 1 of *The Municipality of Neebing Act, 1952*, as enacted by section 1 of *The Municipality of Neebing Act, 1957*, is repealed. 1952, c. 126, s. 1, subs. 2 (1957, c. 146, s. 1), repealed

(2) All assets and liabilities of the respective wards of the Municipality of Neebing immediately before this Act comes into force shall, upon the coming into force of this Act, become the assets and liabilities of the Municipality of Neebing as a whole. Assets and liabilities of wards

2. Section 2 of *The Municipality of Neebing Act, 1952* is repealed and the following substituted therefor: 1952, c. 126, s. 2, re-enacted

2. The Council of The Corporation of the Municipality of Neebing shall consist of one reeve and six councillors, Composition of council

(a) two councillors to be elected by the electors of the ward of Neebing North;

(b) one councillor to be elected by the electors of the ward of Neebing South;

(c) one councillor to be elected by the electors of the ward of Blake;

(d) one councillor to be elected by the electors of the ward of Crooks;

(e)

- (e) one councillor to be elected by the electors of the ward of Pardee; and
- (f) a reeve to be elected by the general vote of the whole municipality.

Composition
of public
school
board

2a. The Public School Board of the Township School Area of the Municipality of Neebing shall be composed of seven trustees,

- (a) three to be elected by the electors of the ward of Neebing North;
- (b) one to be elected by the electors of the ward of Neebing South;
- (c) one to be elected by the electors of the ward of Blake;
- (d) one to be elected by the electors of the ward of Crooks; and
- (e) one to be elected by the electors of the ward of Pardee,

R.S.O. 1960,
c. 330

such trustees to be elected in accordance with *The Public Schools Act*.

Proceedings
for first
election

3. The council of the Municipality of Neebing may pass by-laws providing for the holding of nominations, for polling places for the electors of the municipality and for all other purposes necessary for the holding of elections before the coming into force of this Act.

Commence-
ment

4. This Act comes into force on the 1st day of January, 1968.

Short title

5. This Act may be cited as *The Municipality of Neebing Act, 1967*.

CHAPTER 123

An Act respecting the City of Ottawa

*Assented to March 22nd, 1967
Session Prorogued June 15th, 1967*

WHEREAS The Corporation of the City of Ottawa, ^{Preamble}
herein called the Corporation, by its petition has prayed
for special legislation in respect of the matters hereinafter
set forth; and whereas it is expedient to grant the prayer of
the petition;

Therefore, Her Majesty, by and with the advice and consent
of the Legislative Assembly of the Province of Ontario, enacts
as follows:

1. Notwithstanding By-law AZ-64 of the City of Ottawa, ^{Temporary dwelling accommodation for Centennial Year}
entitled "A by-law of The Corporation of the City of Ottawa
respecting the use of land and the erection or use of buildings
in the City of Ottawa", the council of the Corporation may
pass by-laws to permit temporary dwelling accommodation
during the period from the 1st day of May, 1967 to the 31st
day of October, 1967 in any dwelling unit in the City of
Ottawa that is approved for the purpose by the council of the
Corporation, but the use of such accommodation shall not
constitute the establishment of a right to continue the non-
conforming use after the 31st day of October, 1967.

2. Notwithstanding subsection 5a of section 379a of *The* ^{Shop closing on Remembrance Day}
Municipal Act, the Corporation may pass by-laws requiring
that all or any class or classes of shops in the City of Ottawa,
as defined in clause b of subsection 1 of the said section 379a, ^{R.S.O. 1960, c. 249}
shall close and remain closed on the 11th day of November
of each year until 12.30 o'clock in the afternoon.

3. Subsection 4 of section 1 of *The City of Ottawa Act, 1952*, ^{1952, c. 130, s. 1.}
as re-enacted by section 10 of *The City of Ottawa Act, 1966*, ^{subs. 4 (1966, c. 179, s. 10), amended}
is amended by striking out "but which shall not exceed 6 per
cent per annum" in the seventh and eighth lines, so that the
subsection shall read as follows:

- (4) When the Corporation has advanced money as ^{Lien for advances and repayment}
provided in subsection 3, it shall, upon the regis-
tration of a certificate under subsection 5, have a

lien upon the dwelling in respect of which the advance was made for the amount of the advance, together with interest thereon at a rate to be fixed from time to time by the council of the Corporation, and the amount of the advance with the interest thereon is repayable to the Corporation by the owner of the dwelling in equal consecutive annual payments, which shall be collected over a period of years to be determined by the council of the Corporation and which period shall not exceed ten years but need not be the same in the case of each advance, and, if default is made with respect to any of the payments hereinbefore provided, the whole of the balance of the advance, together with accrued interest thereon at the time of default, becomes due and payable forthwith, and the amount of such balance, including interest, shall be added to the collector's roll of taxes for the current year and shall be collected in the same manner as municipal taxes.

1966,
c. 179, s. 4,
subs. 4,
amended

4. Subsection 4 of section 4 of *The City of Ottawa Act, 1966* is amended by striking out "but which shall not exceed 6 per cent per annum" in the sixth and seventh lines, so that the subsection shall read as follows:

Lien for
advances
and
repayment

- (4) When the Corporation has advanced money as provided in subsection 3, it shall, upon the registration of a certificate under subsection 5, have a lien upon the non-residential property in respect of which the advance was made for the amount of the advance, together with interest thereon at a rate to be fixed from time to time by the council, and the amount of the advance with the interest thereon is repayable to the Corporation by the owner of the non-residential property in equal consecutive annual payments, which shall be collected over a period of years to be determined by the council and which period shall not exceed ten years but need not be the same in the case of each advance, and, if default is made with respect to any of the payments hereinbefore provided, the whole of the balance of the advance, together with accrued interest thereon at the time of default, becomes due and payable forthwith, and the amount of such balance, including interest, shall be added to the collector's roll of taxes for the current year and shall be collected in the same manner as municipal taxes.

Commence-
ment

5. This Act comes into force on the day it receives Royal Assent.

Short title

6. This Act may be cited as *The City of Ottawa Act, 1967*.

CHAPTER 124

An Act to incorporate Peterborough Racing Association Limited

Assented to June 15th, 1967

Session Prorogued June 15th, 1967

WHEREAS Gerald Harold Frederick Lowery, Bertram Albert Howden and Elwood Allen McDonald, all of the City of Peterborough in the County of Peterborough, by their petition have prayed for special legislation constituting them a private company subject to *The Corporations Act* R.S.O. 1960, c. 71 to come within the provisions of section 178 of the *Criminal Code* (Canada) and to have power to own and operate a race track, to conduct horse races, to operate pari-mutuel betting facilities, accept wagers on the outcome of such races, record bets, hold stakes and pay winners within the provisions of such pari-mutuel system and to hold and conduct horse and dog shows and exhibits; and whereas it is expedient to grant the prayer of the petition; 1953-54, c. 51 (Can.)

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. In this Act,

Interpre-
tation

- (a) "board" means the board of directors of the Company;
- (b) "Company" means the Peterborough Racing Association Limited.

2.—(1) Gerald Harold Frederick Lowery, Bertram Albert Howden and Elwood Allen McDonald are hereby incorporated a private company, along with any others who become shareholders of the Company, under the name of "Peterborough Racing Association Limited". Incorporation

(2) Subject to *The Racing Commission Act* and the regulations thereunder, the objects of the Company are, Objects
R.S.O. 1960,
c. 342

- (a) to own and operate a race track or race tracks;

(b)

- (b) to hold and conduct under its auspices horse race meetings at which there are running races and trotting and pacing races, to operate a pari-mutuel system of betting at such meetings or races and to accept bets, record bets, hold stakes and pay winners through the agency of such pari-mutuel system;
- (c) to hold and conduct horse and dog shows and exhibits;
- (d) to give and contribute to such racing meets, shows or exhibits, prizes, cups, stakes or other awards;
- (e) to charge admission or entry fees to the places of exhibition or any part thereof, to receive subscriptions to prize lists or for aiding the general purposes of the Company.

Capital

3. The capital of the Company shall be divided into 1,500 non-cumulative redeemable 6 per cent preference shares with a par value of \$100 each and 100,000 common shares with no par value not to be issued for a consideration exceeding in amount or value \$100,000.

Head office

4. The head office of the Company shall be at the City of Peterborough in the County of Peterborough.

First directors

5. The first directors of the Company shall be Gerald Harold Frederick Lowery, Bertram Albert Howden and Elwood Allen McDonald.

Transfer of shares

6. The right to transfer shares of the Company is restricted so that no share shall be transferred without the express consent of a majority of the directors, to be signified by a resolution passed by the board.

Shareholders

7. The number of shareholders of the Company, exclusive of persons who are in the employment of the Company, is limited to fifty, and two or more persons holding one or more shares jointly shall be counted as a single shareholder.

No public subscription

8. The public shall not be invited to subscribe for any shares or securities of the Company.

Preference share dividends

9.—(1) The holders of the preference shares are entitled in each year in the discretion of the board, but always in preference and priority to any payment of dividends on the common shares for such year, to non-cumulative dividends, out of any or all profits or surplus available for dividends, at the rate of 6 per cent per annum on the amount paid up

on the preference shares, and, if in any year after providing for the full dividend on the preference shares there remains any profits or surplus available for dividends,

- (a) such profits or surplus or any part thereof may, in the discretion of the board, be applied to dividends on the common shares; and
- (b) the holders of the preference shares are not entitled to any dividend other than or in excess of the non-cumulative dividends at the rate of 6 per cent per annum.

(2) The preference shares shall rank, as regards both dividend and repayment of capital, in priority to all other shares of the Company, but shall not confer any further right to participate in profits or assets. Ranking of preference shares

10.—(1) The Company may, after giving notice required by subsection 2, redeem the whole or any part of the preference shares by paying the amount paid up on each share to be redeemed, together with all dividends declared thereon and unpaid. Redemption of preference shares

(2) Not less than thirty days notice in writing of such redemption shall be given by mailing the notice to the registered holders of the shares to be redeemed, specifying the date and place or places of redemption. Notice of redemption

(3) Where notice of the redemption is given by the Company in accordance with this section and an amount sufficient to redeem the shares is deposited with any trust company or chartered bank in Canada, as specified in the notice, on or before the date fixed for redemption, dividends on the preference shares to be redeemed shall cease after the date so fixed for redemption, and the holders thereof shall thereafter have no rights against the Company in respect thereof except, upon the surrender of certificates for such shares, to receive payment therefor out of the moneys so deposited. Time of redemption

11. The Company may, at any time and from time to time, purchase for cancellation the whole or any part of the preference shares at the lowest price at which, in the opinion of the board, such shares are obtainable, but not exceeding the amount paid up thereon, together with all dividends declared thereon and unpaid. Purchase of preference shares for cancellation

12. In the event of the liquidation, dissolution or winding up of the Company, whether voluntary or involuntary, the holders of the preference shares are entitled to receive, be- Preference rights on dissolution

fore any distribution of any part of the assets of the Company among the holders of any other shares, an amount equal to the amount paid up thereon and any dividends declared thereon and unpaid and no more.

Voting
rights of
preference
shareholders

13.—(1) Subject to subsection 2, the holders of preference shares do not, as such, have any voting rights for the election of directors or for any other purpose, and are not entitled to attend shareholders' meetings until the Company fails, for a period of two consecutive years, to pay the dividend on the preference shares, and, when the Company so fails to pay such dividend, the holders of the preference shares are entitled, until dividends aggregating 6 per cent per annum have been paid on the preference shares for two consecutive years, to attend all shareholders' meetings and shall have one vote thereat for each preference share then held.

Notice of
shareholders'
meeting

(2) Holders of preference shares are entitled to notice of meetings of shareholders called for the purpose of authorizing the dissolution of the Company or the sale of its undertaking or a substantial part thereof.

Variation of
preferences

(3) The authorization for an application to delete or vary any preference, right, condition, restriction, limitation or prohibition attaching to the preference shares or to create preference shares ranking in priority to or on a parity with the preference shares, in addition to the authorization by a special resolution, may be given by at least two-thirds of the votes cast at a meeting of the holders of the preference shares duly called for that purpose.

Voting
rights

14. Holders of common shares are entitled to one vote at all shareholders' meetings for each common share held by them.

Commence-
ment

15. This Act comes in force on the day it receives Royal Assent.

Short title

16. This Act may be cited as *The Peterborough Racing Association Limited Act, 1967*.

CHAPTER 125

An Act respecting Provincial Butchers' Machinery Company Limited

*Assented to March 22nd, 1967
Session Prorogued June 15th, 1967*

WHEREAS Leonard W. Long, Jessie Long and Arthur Long by their petition have represented that Provincial Butchers' Machinery Company Limited, herein called "the Corporation", was incorporated by letters patent dated the 17th day of April, 1944; that the Provincial Secretary, by Order dated the 25th day of March, 1965 and made under the authority of subsection 2 of section 326 of *The Corporations Act*, cancelled the letters patent of the Corporation and declared it to be dissolved on the 29th day of April, 1965; that the petitioners were all the directors and the holders of all the common shares of the Corporation at the time of its dissolution; that the notice of default in filing annual returns required by the said subsection 2 of section 326 of *The Corporations Act*, although sent to each of the petitioners as directors, was not received by any of them and none of them was aware of the dissolution of the Corporation until more than one year after the date thereof; that the Corporation at the time of its dissolution was carrying on an active commercial business and was registered as the owner of real property in the County of York in the Province of Ontario; and whereas the petitioners have prayed for special legislation reviving the Corporation; and whereas it is expedient to grant the prayer of the petition;

Preamble

R.S.O. 1960,
c. 71

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Provincial Butchers' Machinery Company Limited incorporated by letters patent dated the 17th day of April, 1944 is hereby revived and is, subject to any rights acquired by any person after its dissolution, hereby restored to its legal position as a company incorporated by letters patent, including all its property, rights, privileges and franchises and subject to all its liabilities, contracts, disabilities and debts as at the date of its dissolution in the same manner and to the same extent as if it had not been dissolved.

Provincial
Butchers'
Machinery
Company
Limited
revived

Commence-
ment

2. This Act comes into force on the day it receives Royal Assent.

Short title

3. This Act may be cited as *The Provincial Butchers' Machinery Company Limited Act, 1967.*

CHAPTER 126

**An Act respecting the Sarnia Board
of Education and the Sarnia Suburban
High School District**

*Assented to March 22nd, 1967
Session Prorogued June 15th, 1967*

WHEREAS The Board of Education for the City of ^{Preamble}
Sarnia and The Sarnia Suburban District High School
Board by their petition have represented that by *The Sarnia* ^{1955, c. 112}
and Suburban Secondary Schools Act, 1955, as amended by
The Sarnia and Suburban Secondary Schools Act, 1960, ^{provi- 1960, c. 166}
sion was made to enable the Boards by agreement to provide
additional accommodation for future requirements; and
that additional accommodation has been provided from time
to time and that it is desirable that the provisions for provid-
ing additional accommodation be simplified and that *The*
Sarnia and Suburban Secondary Schools Act, 1955, as amended,
be amended further; and whereas it is expedient to grant the
prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent
of the Legislative Assembly of the Province of Ontario, enacts
as follows:

1. Section 1 of *The Sarnia and Suburban Secondary Schools* ^{1955,}
Act, 1955 is repealed and the following substituted therefor: ^{c. 112, s. 1,}
^{re-enacted}

(1) In this Act,

Interpre-
tation

- (a) "accommodation" means school sites, buildings,
teaching areas, furniture and equipment, administra-
tion office buildings, storage and maintenance build-
ings and all other matters and things necessary or
desirable for the operation of a secondary school
system;
- (b) "auxiliary areas" means areas that do not carry an
instructional load, but are necessary to make the
school function as a whole, and, without limiting the
generality of the foregoing, include,

(i)

- (i) administrative offices, teachers' rooms, offices for department heads and student supply rooms,
 - (ii) health service and guidance or counselling offices,
 - (iii) auditoriums with fixed seats and stage and dressing and property rooms,
 - (iv) P. T. instructors' offices, apparatus rooms, shower and locker rooms, spectator galleries, cafeterias, lunch rooms and kitchens,
 - (v) general store-rooms, boiler rooms and maintenance quarters,
 - (vi) washrooms and toilets for staff and pupils,
 - (vii) corridors, stairwells, entrances and other structural requirements;
- (c) "City" means the City of Sarnia.
- (d) "City Board" means The Board of Education for the City of Sarnia;
- (e) "gross cost" means the cost of teachers' salaries, instructional supplies, administration, plant operation, plant maintenance and replacements, auxiliary agencies, current financing of the operation of secondary schools, and all other expenditures by the City Board in respect of the operation of secondary schools;
- (f) "instructional areas" means student areas that carry a class load and are devoted to actual instructional work, such as classrooms, laboratories, libraries, shops, music rooms, gymnasiums and art, commercial and home economics rooms;
- (g) "school ground areas" means the land necessary for a school building, playground, parking areas and other land required for school purposes;
- (h) "student place" means accommodation, auxiliary areas, instructional areas and school ground areas required for a student with respect to the complete operation of a secondary school system;
- (i) "Suburban Board" means The Sarnia Suburban District High School Board.

2. Paragraphs 7, 8 and 9 of subsection 2 of section 2 of ^{1955,}
The Sarnia and Suburban Schools Act, 1955 are repealed and ^{c. 112, s. 2,}
the following substituted therefor: ^{subs. 2,}
^{paras. 7-9,}
^{re-enacted}

7. Commencing with the fall term of 1956 and thereafter, the Suburban Board shall pay to the City Board a per diem rate for pupils resident in the Sarnia Suburban High School District and enrolled in a secondary school in the City or in the Sarnia Suburban High School District based on the gross cost of operating the secondary schools in the City and in the Sarnia Suburban High School District, not including payments of principal and interest in respect of debentures heretofore or hereafter issued for the construction of secondary school accommodation in the City and in the Sarnia Suburban High School District.
8. It is the duty of the City Board to accept pupils resident in the City and in the Sarnia Suburban High School District and qualified to enroll in a secondary school, and it is the right of such pupils to receive secondary school education in a secondary school located in the City or in the Sarnia Suburban High School District.
9. Commencing with the fall term of 1956 and thereafter, pupils from a high school district in the County of Lambton not within the Sarnia Suburban High School District may be admitted to a secondary school operated by the City Board with the written consent of the secretary of the board having jurisdiction over the area in which the pupil resides, and any such board shall pay to the City Board a per diem rate for such pupils enrolled in a secondary school operated by the City Board based on the gross cost of operating the said secondary schools together with the payments of principal and interest in respect of the debentures issued by the City or any municipality in the Sarnia Suburban High School District or the County of Lambton for the construction of secondary school accommodation in the City and in the Sarnia Suburban High School District, and in such case that portion of the per diem rate computed in relation to debenture charges shall be shared by the City Board and Suburban Board in the proportion that the debenture charges of the City Board and the Suburban Board respectively at that time bear to the total debenture charges used in computing the per diem rate.

1955, c. 112,
s. 3, subs. 1,
cl. *a* (1960,
c. 166, s. 1,
subs. 1),
re-enacted;
cl. *aa* (1960,
c. 166, s. 1,
subs. 1),
repealed;
cls. *b, c, d,*
and cl. *e*
(1960,
c. 166, s. 1,
subs. 2),
re-enacted

3.—(1) Clause *a* as re-enacted by subsection 1 of section 1 of *The Sarnia and Suburban Secondary Schools Act, 1960*, clause *aa* as enacted by subsection 1 of section 1 of *The Sarnia and Suburban Secondary Schools Act, 1960*, clauses *b, c, d,* and clause *e* as enacted by subsection 2 of section 1 of *The Sarnia and Suburban Secondary Schools Act, 1960*, of subsection 1 of section 3 of *The Sarnia and Suburban Secondary Schools Act, 1955* are repealed and the following substituted therefor:

- (a) after deducting all grants received by the Boards from the Department of Education or from any other source as to such additional accommodation, the cost of providing additional accommodation and of any alterations and renovations shall be shared by the City Board and the Suburban Board in the proportions that the number of secondary school pupils registered to each Board bears to the total number of secondary school pupils enrolled in the system as of the 1st day of October immediately preceding the date of the approval of the Department of Education for the construction of such additional accommodation, and of any alterations and renovations, or, in the event that the approval of the Department of Education is not required, immediately preceding the date of approval of the two Boards as to the construction, alteration or renovation;
- (b) each Board shall have an interest in any increased accommodation in the same proportion as it is liable for the cost of such accommodation, and such additional accommodation may be situated within the City or within the Sarnia and Suburban High School District and may be acquired and held in the joint names of the two Boards or in the name of either Board;
- (c) municipal debentures, not to exceed a term of twenty years, may be issued by the municipalities or any of them in the Sarnia Suburban High School District or by the County of Lambton in the same manner as if such increased accommodation was located in the Sarnia Suburban High School District and by the City in the same manner as if such increased accommodation was located in the City;
- (d) the construction, operation and management of secondary schools and any addition or alteration to any secondary school shall be under the control of the

City Board and the rules, regulations, by-laws and policies of the City Board shall apply thereto at all times;

- (e) the number of student places provided by the two Boards as of the 30th day of June, 1966 shall be deemed to be as set out in the Schedule.

(2) Subsection 1 of the said section 3 is amended by adding thereto the following clause:

1955,
c. 112, s. 3,
subs. 1,
amended

- (h) (i) any school site heretofore or hereafter acquired within the City and within the Sarnia Suburban High School District and any school building or any building erected thereon for the purpose of accommodation shall not be subject to municipal taxation so long as it is held by the Boards or either of them,

- (ii) for the purpose of this clause, "school site" means the land necessary for a school house, school playground, school garden, teacher's residence, caretaker's residence, drill hall, gymnasium, offices, storage building, maintenance building, parking areas and other land required for school purposes or for the offices of a board.

(3) Subsection 3 of the said section 3, as enacted by sub-section 3 of section 1 of *The Sarnia and Suburban Secondary Schools Act, 1960*, is repealed.

1955,
c. 112, s. 3,
sub. 3
(1960,
c. 166, s. 1,
subs. 3),
repealed

4. The Schedule to *The Sarnia and Suburban Secondary Schools Act, 1955*, as enacted by section 2 of *The Sarnia and Suburban Secondary Schools Act, 1960*, is repealed and the following substituted therefor:

1955, c. 112,
Sched.
(1960,
c. 166, s. 2),
re-enacted

SCHEDULE

In this Schedule,

- (a) "Central" means the Sarnia Central Collegiate Institute.
- (b) "Northern" means the Sarnia Northern Collegiate Institute and Vocational School.
- (c) "Scits" means the Sarnia Collegiate Institute and Technical School.
- (d) "St. Clair" means the Sarnia St. Clair Secondary School.

SUBURBAN BOARD				CITY BOARD			
Student Places				Student Places			
	Instruc- tional Areas	Auxiliary Areas	School Grounds		Instruc- tional Areas	Auxiliary Areas	School Grounds
31st October, 1956							
Northern	760	1,070	1,380	Scits. . . . Central..	900 650	900 1,070	1,070 1,070
	760	1,070	1,380		1,550	1,970	2,140
31st December, 1959							
				Northern Scits. . . .	310 170	..... 170	..........
	760	1,070	1,380		2,030	2,140	2,140
31st December, 1961							
St. Clair.	310	.....	.....	St. Clair.	420	1,070	1,380
	1,070	1,070	1,380		2,450	3,210	3,520
31st December, 1962							
Fed.- Prov. Projects.	376	376	.....	Fed.- Prov. Projects.	1,014	1,014	250
					.....	.....	250
	1,446	1,446	1,380		3,464	4,224	4,020
31st December, 1964							
Student Places				Student Places			
Northern	77			Northern	423		
	1,523				3,887		
30th June, 1966							
Scits. . . .	37			Scits. . . .	103		
	1,560				3,990		

Commence-
ment

5. This Act comes into force on the day it receives Royal Assent.

Short title

6. This Act may be cited as *The Sarnia and Suburban Secondary Schools Act, 1967*.

CHAPTER 127

An Act respecting the City of Sault Ste. Marie

*Assented to March 22nd, 1967
Session Prorogued June 15th, 1967*

WHEREAS The Corporation of the City of Sault Ste. Marie, herein called the Corporation, by its petition has prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the petition; Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Subsections 2, 3, 4, 5, 6, 7, 8, 9, 10 and 11 of section 2 of *The City of Sault Ste. Marie Act, 1957* are repealed and the following substituted therefor: 1957,
c. 154, s. 2,
subss. 2-8,
re-enacted;
subss. 9-11,
repealed

(2) The Commission shall be a body corporate and shall consist of five members, one of whom shall be the Mayor of the City of Sault Ste. Marie, or his appointee who shall be a member of the Council, and four of whom shall be residents and ratepayers of the City of Sault Ste. Marie and shall be appointed by the Council, and the four members so appointed shall hold office for three years concurrently and until their successors are appointed. Composition,
appointment,
term of office

(3) The term of office of any member of the Commission, except the Mayor of the City of Sault Ste. Marie or his appointee, may at any time be terminated by by-law of the Council passed by a vote of at least two-thirds of the members of the Council. Termination
of office

(4) Whenever the office of a member of the Commission, except the Mayor of the City of Sault Ste. Marie or his appointee, becomes vacant during his term of office, the Council shall appoint some qualified person to be a member thereof for the remainder of the term for which his immediate predecessor was appointed. Vacancies

Members
eligible for
re-appoint-
ment

- (5) A member of the Commission shall, on the expiration of his term of office, be eligible to be re-appointed thereto, if he is a resident and a ratepayer of the City of Sault Ste. Marie and is not otherwise disqualified.

Council
members not
eligible

- (6) Except for the Mayor of the City of Sault Ste. Marie or his appointee, no member of the Council is eligible to be appointed a member of the Commission during his term of office or, in the event that he shall have for any reason ceased to be a member of the Council, during the unexpired term for which he was elected.

Salary

- (7) The members of the Commission may be paid such salary or other remuneration as may be fixed by by-law of the Council.

Quorum

- (8) Three members of the Commission shall constitute a quorum for the transaction of business.

1957, c. 154,
amended

2. *The City of Sault Ste. Marie Act, 1957* is amended by adding thereto the following section:

Exclusive
right to
operate bus
service

- 22a.—(1) The Commission has the exclusive right within the City of Sault Ste. Marie to maintain and operate a bus service that picks up and discharges passengers within the limits of the City, including, without limiting the foregoing, transportation within the limits of the City by charter, contract, special trips or otherwise.

Penalties

- (2) The Corporation is empowered to pass by-laws imposing such penalties as are provided for contravention of by-laws under *The Municipal Act* upon any other person or corporation who carries on such service within the limits of the City of Sault Ste. Marie.

R.S.O. 1960,
c. 249

Application
to school
boards

- (3) Subsection 1 does not apply to transportation provided for students by The Board of Education for the City of Sault Ste. Marie or The Board of Trustees of the Roman Catholic Separate Schools for the City of Sault Ste. Marie.

1957, c. 154,
amended

3. *The City of Sault Ste. Marie Act, 1957* is amended by adding thereto the following section:

Application
of Act to
amalgamated
city

- 23a. This Act applies to the whole of the new City of Sault Ste. Marie formed on the 1st day of January, 1965 by the amalgamation of the former townships of

Korah and Tarentorus with the former City of Sault Ste. Marie by order of the Ontario Municipal Board dated the 28th day of September, 1964.

4. This Act comes into force on the day it receives Royal ^{Commence-} Assent._{ment}

5. This Act may be cited as *The City of Sault Ste. Marie* ^{Short title} *Act, 1967.*

CHAPTER 128

An Act respecting the Borough of Scarborough

*Assented to March 22nd, 1967
Session Prorogued June 15th, 1967*

WHEREAS The Corporation of the Borough of Scar- Preamble
borough by its petition has prayed for special legislation
in respect of the matters hereinafter set forth; and whereas
it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent
of the Legislative Assembly of the Province of Ontario, enacts
as follows:

1. The council of The Corporation of the Borough of Prohibition
of street
vending of
refresh-
ments
Scarborough may by by-law prohibit or regulate the sale of
fruits, candy, peanuts, ice cream, ice cream cones, frozen or
iced milk, frozen or iced desserts or other confections from a
basket or wagon, cart or other vehicle upon any highway,
or part of it, or in any public park or public place or in any
defined area or areas of the Borough of Scarborough.

2. This Act comes into force on the day it receives Royal Commence-
ment
Assent.

3. This Act may be cited as *The Borough of Scarborough* Short title
Act, 1967.

CHAPTER 129

An Act respecting the Society of Industrial and Cost Accountants of Ontario

*Assented to March 22nd, 1967
Session Prorogued June 15th, 1967*

WHEREAS the Society of Industrial and Cost Accountants of Ontario by its petition has represented that it was incorporated by *An Act to incorporate the Society of Industrial and Cost Accountants of Ontario*, being chapter 77 of the Statutes of Ontario, 1941; and whereas the petitioner has prayed for special legislation amending its Act of incorporation to change the name of the Society to the Society of Industrial Accountants of Ontario; and whereas it is expedient to grant the prayer of the petition; Preamble

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Section 1 of *The Society of Industrial and Cost Accountants of Ontario Act, 1941* is amended by striking out "and Cost" in the sixth line, so that the section shall read as follows: 1941,
c. 77, s. 1,
amended

1. Harold Percy Wright of the City of Hamilton, Accountant, George Appleton of the City of Toronto, Comptroller, and Richard Dawson of the City of Hamilton, Secretary, and such other persons as may hereafter become members of the Society are hereby constituted a body corporate and politic under the name "Society of Industrial Accountants of Ontario", herein called "the Society". Incor-
poration

2.—(1) Subsection 1 of section 11 of *The Society of Industrial and Cost Accountants of Ontario Act, 1941* is amended by striking out "and Cost" in the third line and by striking out "and cost" in the fourth line, so that the subsection shall read as follows: 1941,
c. 77, s. 11,
subs. 1,
amended

(1) Every registered member of the Society shall have the right to use the designation "Registered Industrial Accountant" and may use after his name Designation

the initials "R.I.A.", indicating that he is a registered industrial accountant.

1941,
c. 77, s. 11,
subs. 2,
amended

(2) Subsection 2 of the said section 11 is amended by striking out "and Cost" in the second line, so that the subsection shall read as follows:

Offence

(2) Every person taking or using the designation "Registered Industrial Accountant" or the initials "R.I.A." or any name, title or description implying that he is a registered member of the Society, unless authorized so to do, shall be guilty of an offence and shall upon conviction incur a penalty not exceeding \$25 for each offence.

1941,
c. 77, s. 15,
amended

3. Section 15 of *The Society of Industrial and Cost Accountants of Ontario Act, 1941* is amended by striking out "and Cost" in the first and second lines, so that the section shall read as follows:

Short title

15. This Act may be cited as *The Society of Industrial Accountants of Ontario Act, 1941*.

Commence-
ment

4. This Act comes into force on the day it receives Royal Assent.

Short title

5. This Act may be cited as *The Society of Industrial Accountants of Ontario Act, 1967*.

CHAPTER 130

An Act respecting the St. Catharines Club

*Assented to March 22nd, 1967
Session Prorogued June 15th, 1967*

WHEREAS the St. Catharines Club by its petition has ^{Preamble} represented that it was incorporated by *An Act to Incorporate the St. Catharines Club*, being chapter 83 of the Statutes of Ontario, 1886; and whereas the petitioner has prayed for special legislation amending its Act of incorporation to increase its borrowing powers from \$20,000 to \$400,000; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Section 4 of *An Act to Incorporate the St. Catharines Club* ^{1886, c. 83, s. 4, amended} is amended by striking out "\$20,000" in the eighth line and inserting in lieu thereof "\$400,000", so that the section shall read as follows:

4. The said corporation with the assent of the members, ^{Borrowing Powers} as hereinafter provided for, may raise or borrow either upon mortgage of the real and personal property of the corporation, or by the issue of debentures, secured thereon as hereinafter provided, or by the issue of stock, or partly in one way and partly in the other or others, such sum of money as they may deem necessary, not exceeding in the aggregate the sum of \$400,000.

2. This Act comes into force on the day it receives Royal <sup>Commence-
ment</sup> Assent.

3. This Act may be cited as *The St. Catharines Club* ^{Short title} Act, 1967.

CHAPTER 131

An Act respecting the City of Toronto

*Assented to June 15th, 1967
Session Prorogued June 15th, 1967*

WHEREAS The Corporation of the City of Toronto, ^{Preamble} herein called the Corporation, by its petition has prayed for special legislation in respect of the matters herein-after set forth; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. The Corporation may by by-law authorize agreements ^{Agreements for pedestrian walks} between the Corporation and the owners or lessees of land abutting on a highway for the construction, maintenance and use of walks for pedestrians over, across or under the highway upon such terms and conditions as may be agreed and for contributing to the whole or any part of the cost thereof and for leasing or licensing the use of untravelled portions of such walks and adjoining lands to persons for such considerations and upon such terms and conditions as may be agreed.

2. The Corporation may by by-law designate as historic ^{Designation of historic sites} sites such buildings and the lands on which they stand as may be deemed by the council of the Corporation to be worthy of preservation for either architectural or historical reasons, describing such sites by metes and bounds and including therein so much of the surrounding lands as the council may deem desirable to include in such historic sites, and thereafter the Corporation may defer or require the deferring of the issuance of any permit for the doing of any work or demolition on such described lands for a period of sixty days from the date of application for such permit, provided that the total period of such deferment shall not exceed sixty days.

3. By-law No. 23034 of the Corporation, being "A By-law ^{Window cleaners by-law validated} To regulate and control the installation, maintenance, inspection and use of safety devices and other equipment used by

window cleaners", passed the 9th day of November, 1966, set out as the Schedule hereto, is hereby validated and confirmed and shall extend to the City of Toronto as now constituted, and the said by-law may be amended from time to time to such extent as may be approved by the Ontario Municipal Board.

1960-61,
c. 137, s. 2,
amended

4. Section 2 of *The City of Toronto Act, 1960-61* is amended by adding thereto the following clause:

(aa) rent or lease from The Municipality of Metropolitan Toronto premises within the Metropolitan Area as defined in *The Municipality of Metropolitan Toronto Act*.

R.S.O. 1960,
c. 260

Pensions
for widow
and children
of deceased
firefighter

5. The Corporation may by by-law grant to the widow and children or any of them of the late Richard Louis Gibb, who was at the time of his death on or about the 25th day of September, 1965, in the employ of the Corporation as a firefighter, pensions and benefits in any amounts not exceeding the amount of the pensions and benefits which would have been payable to them pursuant to any by-law or by-laws of the Corporation in force on the 1st day of January, 1966, as if the said Richard Louis Gibb had died on or after the 1st day of January, 1966, subject to such limitations and conditions as may be prescribed in the by-law passed under this section.

1936, c. 84,
s. 6, subs. 1,
re-enacted

6.—(1) Subsection 1 of section 6 of *The City of Toronto Act, 1936*, as amended by subsection 1 of section 3 of *The City of Toronto Act, 1941* and subsection 1 of section 3 of *The City of Toronto Act, 1960*, is repealed and the following substituted therefor:

Interpreta-
tion

(1) In this section,

"Corpora-
tion"

(a) "corporation" means The Corporation of the City of Toronto;

"Dwelling"

(b) "dwelling" includes any building, part of a building, tent, trailer or other covering or structure, the whole or any portion of which has been used, is used or is capable of being used for the purposes of human habitation with the land and premises appurtenant thereto and all outbuildings, fences or erections thereon or therein and every dwelling unit within the dwelling;

"Dwelling
unit"

(c) "dwelling unit" means one or more rooms located within a dwelling and used or intended to be used for human habitation by one or more persons;

(d)

- (d) "inspector" means the person or persons from "Inspector" time to time designated by the council of the corporation to enforce the provisions of a by-law passed under this section;
- (e) "order", except in subsections 18 and 19, "Order" means a notice of violation and order to demolish or repair a dwelling pursuant to a by-law passed under this section;
- (f) "owner" includes the person for the time "Owner" being managing or receiving the rent of the land or premises in connection with which the word is used, whether on his own account or as agent or trustee of any other person or who would so receive the rent if such land and premises were let, or a vendor of such land under an agreement for sale who has paid any municipal taxes thereon after the effective date of the agreement, or the person for the time being receiving instalments of the purchase price of the land or premises in connection with which the word is used sold under an agreement for sale whether on his own account or as agent or trustee of any other person or who would so receive the instalments of the purchase price if such land or premises were sold under an agreement for sale;
- (g) "repair" includes taking the necessary action "Repair" to bring any dwelling to the standards;
- (h) "standards" means the standards for the "Standards" maintenance and improvement of the physical condition and for the fitness for occupancy prescribed by a by-law passed under this section.

(2) Subsection 2 of the said section 6 is repealed and the following substituted therefor:

1936, c. 84,
s. 6, subs. 2,
re-enacted

(2) The council of the corporation may pass by-laws, Authority to pass by-laws

- (a) for providing standards for dwellings or any class or classes thereof within the municipality or within any defined area or areas and for prohibiting any person from using, permitting to be used, renting or offering to rent any such dwelling that does not conform to the standards;

(b)

- (b) for preventing the overcrowding of dwellings or any class or classes thereof within the municipality or within any defined area or areas thereof by limiting the number of persons who may inhabit a dwelling unit and who may use a room for sleeping purposes and for prohibiting any person from using, permitting to be used, renting or offering to rent any dwelling in violation thereof;
- (c) for requiring the owner of any dwelling and to the extent that he is made responsible by the lease or agreement under which he occupies the property the occupant thereof to repair and maintain the dwelling in accordance with the standards or demolish the whole or any part of the dwelling;
- (d) for appointing one or more inspectors; and
- (e) for prohibiting the removal from any premises of any sign, notice or placard placed thereon pursuant to this section or a by-law passed under the authority of this section except by such persons and under such circumstances as may be prescribed therein.

1936, c. 84,
s. 6, subs. 6
(1956,
c. 125, s. 4,
subs 1),
re-enacted

(3) Subsection 6 of the said section 6, as re-enacted by subsection 1 of section 4 of *The City of Toronto Act, 1956*, is repealed and the following substituted therefor:

Power of
corporation
to make
repairs

- (6) If the owner or occupant of a dwelling fails to demolish the dwelling or to repair in accordance with an order as confirmed or modified, the corporation in addition to all other remedies,
 - (a) shall have the right to demolish or repair the dwelling accordingly and to do any work on adjoining property necessitated by such demolition or repair, and for those purposes with its servants and agents from time to time to enter in and upon the dwelling and adjoining property;
 - (b) shall not be liable to compensate such owner, occupant, or any other person by reason of anything done by or on behalf of the corporation under the provisions of this subsection; and
 - (c)

- (c) shall have a lien for any amount expended by or on behalf of the corporation under the authority of this subsection together with interest thereon at a rate to be fixed in the manner provided in subsection 4 upon the dwelling in respect of which such amount was expended, and the certificate of the clerk of the municipality as to such amount shall be final, and such amount shall be deemed to be taxes and added to the collector's roll of taxes for the current year and shall be collected in the same manner as real property taxes.

(4) Subsection 9 of the said section 6, as re-enacted by ^{1936, c. 84, s. 6, subs. 9} subsection 2 of section 4 of *The City of Toronto Act, 1956*, ^(1956, c. 125, s. 4, subs. 2) is amended by striking out "or 6" in the first line and by ^{amended} striking out "subsections 3 and 6 shall" in the eighth line and inserting in lieu thereof "subsection 3", so that the subsection shall read as follows:

- (9) Before proceeding under subsection 3, the corporation shall notify any mortgagee, vendor under agree- ^{Notice to mortgagees and others} ment for sale or other encumbrancer appearing on the registered title, by registered letter, specifying wherein the said dwelling unit, building or premises are defective, and if the defects are not remedied within one month from such notification, then the provisions of subsection 3 apply.

(5) Subsection 10a of the said section 6, as enacted by ^{1936, c. 84, s. 6, subs. 10a} section 4 of *The City of Toronto Act, 1955*, is repealed and the following substituted therefor: ^{(1955, c. 117, s. 4), re-enacted}

- (10a) Where a conviction has been recorded against any person in respect of a dwelling that does not conform to a by-law passed under the authority of this section ^{Power to close dwelling and prohibit its use} or to any by-law to provide for the safety of buildings, or where the owner or occupant of a dwelling fails to demolish the dwelling or to repair in accordance with an order as confirmed or modified, the inspector may order that such dwelling be closed and remain closed, and prohibit its use as a dwelling, until the condition has been rectified, provided that notice thereof is given forthwith to the owner or to an adult person in the dwelling, and in addition the inspector may give such notice to occupants and prospective occupants by posting signs or placards on the premises or by such other method as he deems necessary.

1936, c. 84,
s. 6,
subs. 13
(1960,
c. 170, s. 3,
subs. 3),
re-enacted

(6) Subsection 13 of the said section 6, as enacted by subsection 3 of section 3 of *The City of Toronto Act, 1960*, is repealed and the following substituted therefor:

Removal or
demolition
authorized

(13) The council of the corporation may pass by-laws ordering the removal or demolition of any dwelling that has been condemned pursuant to section 99 of *The Public Health Act* as unfit for human habitation or dangerous to health.

R.S.O. 1960,
c. 321

1936, c. 84,
s. 6,
amended

(7) The said section 6, as amended by section 3 of *The City of Toronto Act, 1941*, section 4 of *The City of Toronto Act, 1955*, section 4 of *The City of Toronto Act, 1956* and section 3 of *The City of Toronto Act, 1960*, is further amended by adding thereto the following subsections:

Notice of
violation

(20) If after inspection the inspector is satisfied that in some respect any dwelling violates the standards he may make an order, in which case he shall serve or cause to be served upon the registered owner of the dwelling and all persons shown by the records of the registry office, the land titles office and the sheriff's office to have an interest therein and all occupants known to him over the age of twenty-one years, a copy of the order, and, notwithstanding the foregoing, any by-law passed pursuant to this section may be enforced in accordance with subsection 7, provided that the inspector has sent or caused to be sent a copy of such order to the owner of the dwelling against whom such proceeding is taken by prepaid registered mail to his last-known address;

Contents
of order

(21) The order shall contain,

- (a) a description of the dwelling sufficient to identify and locate it;
- (b) the particulars of the violation and the time in which the demolition or repair to bring the dwelling to the standards are to be made;
- (c) the final date for giving notice of appeal, if any, from the order; and
- (d) the form of notice of appeal which shall be annexed to the order and which shall show the place to which the notice of appeal must be sent.

Substituted
service

(22) If the inspector is unable to locate or serve the owner or any other person on whom he desires to serve an order or where it is ascertained that the owner

or any such person is not within Ontario, the inspector may send or cause to be sent by prepaid registered mail a copy of such order addressed to such owner or other persons at his or their last-known address and he may place a placard containing the terms of the order in a conspicuous place on the property, and the sending of the copy of the order and the placing of the placard shall be deemed to be sufficient service of the order on the owner or other persons.

- (23) When an order has been served in accordance with this section, unless he has given notice of appeal in accordance with the section or, when an order has been sent by prepaid registered mail, the owner and the occupant, if he is liable, shall carry out the repair or demolition within the time and in the manner specified in the order. ^{Duty of owner upon receipt of notice}
- (24) When the owner or occupant who has been served in accordance with this section is not satisfied that the dwelling should be demolished or that the repair ordered is necessary to bring the existing conditions up to the standards, he may give notice of appeal to the housing standards appeal committee by returning the notice of appeal in the form annexed to the order to the clerk of the municipality within fifteen days after service of the order on him as herein provided, and, in the event that no notice of appeal is given, the order shall be deemed to have been confirmed. ^{Appeal}
- (25) Where notice of appeal is given in accordance with this section, after affording a reasonable opportunity to every person on whom an order has been served to make such representations as he sees fit, and after inspecting the dwelling in the presence of any such person if so requested by him in writing, the committee shall have the powers and functions of the inspector and may confirm the order to demolish or repair or may modify or discharge it, provided that nothing herein shall authorize the committee to permit a breach of any by-law passed hereunder. ^{Decision on appeal}
- (26) Any person or corporation affected by a decision of the housing standards appeal committee may appeal the decision to a judge of the county court of the County of York by so notifying the clerk of the corporation in writing and by applying for an appointment within fifteen days after notice of the decision has been given, and, ^{Appeal to county court judge}

- (a) the judge shall, in writing, appoint a day, time and place for the hearing of the appeal and in his appointment may direct that it shall be served upon such persons and in such manner as he prescribes;
- (b) the appointment shall be served in the manner prescribed at least one month before the day appointed for the hearing of the appeal; and
- (c) the judge on such appeal has the same powers and functions as the housing standards appeal committee.

**Effect of
decision**

- (27) The order as deemed to have been confirmed pursuant to subsection 24 or as confirmed or modified by the housing standards appeal committee, or, in the event of an appeal to a judge pursuant to subsection 26, as confirmed or modified by the judge, shall be final and binding upon the owner and occupant who shall make the repair or effect the demolition within the time and in the manner specified in the order, as so confirmed or modified.

**Registration
of order**

- (28) When an order has been served in accordance with subsection 20 or 22, the order may be registered in the proper registry office or registered as a caution in the proper land titles office, and, when so registered, all conveyances, mortgages, leases or other dispositions of the land to which the order applies and all interests acquired under any such conveyances, mortgages, leases or dispositions shall be subject to such order as confirmed or modified, and such order shall be an encumbrance on the land.

**Discharge
of order**

- (29) When the requirements of the order have been satisfied the city clerk shall deliver to any interested person a certificate that the order has been so satisfied, and such certificate may be registered in the same manner as the order and shall operate as a discharge thereof.

**Housing
standards
appeal
committee**

- (30) When the council of the corporation has passed a by-law under this section it shall constitute and appoint a housing standards appeal committee composed of six persons as the council deems desirable.

**Term of
office**

- (31) Members of the committee shall hold office for three years and until their successors are appointed, and are eligible for re-appointment, and, when a member

ceases to be a member before the expiration of his term, the council shall appoint another person for the unexpired portion of his term.

- (32) The committee may elect its own chairman and vice-chairman who shall preside in the absence of the chairman. Chairman
- (33) The committee may sit in two divisions, in which case the chairman shall preside in respect of one division and the vice-chairman in respect of the other, and when so sitting each division has all the powers of the committee hereunder. Division of committee
- (34) The committee may appoint one or more secretaries. Secretary
- (35) Three members of the committee are a quorum. Quorum
- (36) The committee may adopt its own rules of procedure. Rules of procedure
- (37) The committee, before hearing an appeal, shall give notice of the hearing and after hearing an appeal, of the result thereof, in such manner and to such persons as the committee deems proper. Notice
- (38) The chairman and the vice-chairman of the committee may administer oaths. Oaths
- (39) The members of the committee may be paid such remuneration as the council may provide. Remuneration
- (40) No person shall sell, mortgage or lease or agree to sell, mortgage or lease any dwelling in respect of which an order has been served under this section or any by-law passed hereunder without first having furnished any proposed purchaser, mortgagee or lessee with a true copy of such order. Furnishing copy of order
- (41) Every owner shall have the right to enter and repair any dwelling pursuant to an order, notwithstanding anything contained in or resulting from a lease or agreement pursuant to which possession of the dwelling has been given to another person. Owner's right of entry

7. Section 2 of *The City of Toronto Act (No. 1), 1946* 1946, c. 141, s. 2, amended is amended by striking out "Minister of Municipal Affairs" in the first and second lines and inserting in lieu thereof "Minister of Economics and Development", so that the section, exclusive of the clauses, shall read as follows:

2. Subject to the approval of the Minister of Economics and Development, the council of the corporation may pass by-laws for undertaking slum clearance or low-rental housing projects within the municipality, and for such purpose may,—

.

Commence-
ment

8. This Act comes into force on the day it receives Royal Assent.

Short title

9. This Act may be cited as *The City of Toronto Act, 1967*.

SCHEDULE

BY-LAW No. 23034

To regulate and control the installation, maintenance, inspection and use of safety devices and other equipment used by window cleaners.

(Passed November 9, 1966)

The Council of The Corporation of the City of Toronto enacts as follows:

1.—(1) This By-law shall be administered by the Commissioner of Buildings for the City of Toronto.

(2) This By-law may be cited as The Window Cleaning Safety By-law.

2. In this By-law,

(1) “anchor” means an anchor on a building to which a safety-belt may be fastened, such anchor being designed, installed and maintained in accordance with the recommendations of the Code;

(2) “Code” means the Canadian Standards Association Code of Practice for Window Cleaning, Specification No. Z91-1959;

(3) “employer” means a person in the business of cleaning windows who is self-employed or hires others to clean windows;

(4) “grade” means the lowest level of the ground abutting a wall in which windows are being cleaned;

(5) “guard-rail” means a protective barrier that,

(i) consists of a 2-inch by 4-inch wood rail securely supported on 2-inch by 4-inch wood posts spaced at intervals of not more than 8 feet, or of metal rails and posts of equivalent strength and rigidity,

(ii) is not less than 36 inches or more than 42 inches above the suspended or swing-stage scaffold platform,

(iii) has a 1-inch by 4-inch wood rail or a metal rail of equivalent strength and rigidity on the inner side of the posts midway between the top rail and the toe-board,

(iv) has a 5-inch toe-board securely fastened to the lower extremities of the posts, and

(v) is free of splinters and protruding nails and bolts;

(6) “life-line” means a line—

(i) made of the best grade manila or cotton rope not less than $\frac{5}{8}$ of an inch in diameter, and

(ii) securely attached overhead to a structural part of the building;

(7) “person” includes a corporation;

(8) “safety-belt” means a safety-belt that is designed and maintained in accordance with the recommendations of the Code;

(9)

(9) "suspended scaffold" or "swing-stage scaffold" means a scaffold suspended from overhead supports by ropes or cables and equipped with winches or pulley blocks to raise and lower the scaffold;

(10) "window cleaning" means the operation of cleaning windows by any means.

3. No person shall clean windows and no employer shall permit any person to clean windows in a manner contrary to this By-law.

4.—(1) (a) Every owner shall install and maintain anchors for all windows in a building with sills 10 feet or more above grade except where such sills are less than 10 feet above an adjoining flat roof or balcony that is not less than 3 feet in width.

(b) Paragraph (a) of subsection (1) of section 4 does not apply where the windows are so constructed that the outside of the windows may be cleaned safely from inside the building or where the windows of the building are cleaned only from a suspended scaffold, swing-stage scaffold, or boatswain's chair, or from a ladder in accordance with this section.

(2) Where the head of any window is more than 30 feet above grade, no person shall clean windows from a ladder.

(3) (a) No person shall clean windows from an outside sill which is 10 feet or more above grade unless anchors are provided and such person uses a safety-belt securely fastened to the anchors on the building.

(b) Every employer shall provide and maintain a safety-belt for each of his employees who cleans windows from an outside sill and shall ensure that safety-belts are used in all cases where required by this By-law.

(4) (a) No person shall use any window cleaning safety device fastened to a wood frame by lag screws.

(b) Every owner shall replace any lag screws and screwed-in fittings in wood frames with anchors.

5.—(1) A suspended scaffold or swing-stage scaffold shall,

(a) have a hoisting device equipped with a ratchet and pawl and a positive secondary locking device in good working order;

(b) not use fibre rope where,

(i) the distance between pulley blocks exceeds 300 feet,

(ii) a hoisting drum is used, or

(iii) any corrosive substance is in the vicinity of the rope;

(c) have overhead supports firmly secured to the building or structure;

(d) have steel hangers located not less than 6 inches and not more than 18 inches from the ends of the platform;

(e) have a platform not less than 2 inches thick and 20 inches wide of wood planking or its equivalent in strength firmly secured to all other structural members;

(f) have a guard-rail properly braced and fastened to one side and the ends of the scaffold platform; and

- (g) have the space between the top rail of the guard-rail and the toe-board securely screened with wire mesh netting having openings not larger than 2 inches or protected with $\frac{3}{4}$ -inch boards secured to the inside of the posts and not more than 1 inch apart.

- (2) A boatswain's chair shall,

- (a) be not less than 2 feet long by 10 inches wide by 1 inch thick;
- (b) be reinforced by cleats securely fastened under the full width of the chair;
- (c) be supported by a sling of $\frac{3}{8}$ -inch wire rope; and
- (d) have a suspension rope for the sling securely fastened to a safe point overhead or passed through a pulley block securely fastened to a secure and accessible object.

(3) No person shall use for window cleaning any device, and notwithstanding the foregoing, any suspended scaffold, swing-stage scaffold, boatswain's chair, safety-belt or life-line, that does not comply with the standards required by this By-law.

(4) Every employer shall provide and maintain a safety-belt for each of his employees who cleans windows from a suspended scaffold, swing-stage scaffold, or boatswain's chair and shall ensure that safety-belts are used by all his employees who clean windows by such means.

(5) Every person using a suspended scaffold, swing-stage scaffold, or boatswain's chair for window cleaning shall use a safety-belt that is securely attached to a life-line.

- (6) No employer shall permit a person who,

- (i) has not been instructed in the handling of such equipment, and
- (ii) is not competent to handle such equipment to work on a suspended scaffold, swing-stage scaffold, or boatswain's chair.

6.—(1) (a) Every employer shall have a competent person inspect and service all suspended scaffolds, swing-stage scaffolds and boatswain's chairs before the same are put into use and thereafter at intervals not exceeding one month, and such equipment shall be maintained in accordance with the standards required by this By-law.

- (b) No person shall use for window cleaning any suspended scaffold, swing-stage scaffold, or boatswain's chair that has not been inspected as required by this section.
- (c) Every person who inspects or services such equipment shall affix to the equipment at the time of each inspection or service an identification tag that states the date of the inspection or service and the name and address of the person who inspected or serviced the equipment, and no person shall use for window cleaning any such equipment that does not carry such identification tag.
- (d) No person other than a person who replaces an identification tag pursuant to paragraph (c), shall remove an identification tag that has been affixed to any such equipment.

(2) (a) Every owner shall have a competent person inspect all anchors on a building at intervals not exceeding six months.

- (b) The owner shall immediately repair or replace any anchor that has become loose or worn.

(c)

- (c) The owner shall make and keep a permanent record of each inspection required by paragraph (a) and such record shall,
 - (i) sufficiently identify the anchors referred to,
 - (ii) state the date such anchors were installed or replaced,
 - (iii) state the name and address of the person making the inspection,
 - (iv) state the date of the inspection, and
 - (v) indicate the condition of the anchors and, if any were repaired, the nature of such repairs.
 - (3) (a) Every person shall inspect every safety-belt, life-line, cable and rope before using it for window cleaning.
 - (b) Every employer shall have a competent person inspect at intervals not exceeding one month every safety-belt, life-line, cable and rope that is used for window cleaning.
 - (c) Whenever safety-belts, life-lines, attachments, ropes or cables show signs of wear or weakness, an employer shall forthwith remove them, or any of them, from service and replace the same with equipment that complies with the standards required by this By-law.
 - (d) Every employer shall make and keep a permanent record of each inspection required by paragraph (b) and such record shall,
 - (i) sufficiently identify the equipment,
 - (ii) state the date or dates such equipment was purchased,
 - (iii) state the date of each inspection,
 - (iv) state the name and address of the person making the inspection, and
 - (v) state the condition of the equipment at the time of the inspection.
 - (4) (a) The Commissioner of Buildings for the City of Toronto may require for his inspection the production of any record kept pursuant to this By-law.
 - (b) No person shall neglect or refuse to produce such record once notice to do so has been given by the Commissioner.
7. Where an owner is precluded by law from carrying out any obligation imposed upon him by this By-law, such obligation shall devolve upon the person having the legal right so to undertake the same.
8. Every person who contravenes any provision of this By-law is guilty of an offence and on summary conviction is liable to a fine (exclusive of costs) of not more than \$300.00 for each offence.
9. This By-law shall come into force when the same has been passed by the said Council and has been validated by a statute of the Province of Ontario.

CHAPTER 132

An Act respecting the Township of Toronto

*Assented to March 22nd, 1967
Session Prorogued June 15th, 1967*

WHEREAS The Corporation of the Township of Toronto, ^{Preamble}
herein called the Corporation, by its petition has prayed
for special legislation in respect of the matters hereinafter
set forth; and whereas it is expedient to grant the prayer of
the petition;

Therefore, Her Majesty, by and with the advice and consent
of the Legislative Assembly of the Province of Ontario, enacts
as follows:

1. Notwithstanding section 8 of *The Township of Toronto* ^{Public school tax rate on new structures in Township of Toronto 1962-63, c. 190}
Act, 1962-63, where any building or structure is erected or
constructed on or after the 1st day of January, 1967, on land
that was on the 31st day of December, 1963, within the Town-
ship School Area No. 1 of Toronto Township, Union School
Section No. 18 and Union School Section No. 19, as they then
existed, and, where it is assessed for public school purposes,

- (a) the building or structure shall be assessed and taxed
for public school purposes in the same manner as
land situate in the Township School Area of South
Peel as it existed on the 31st day of December, 1963;
and
- (b) the land used in connection with such building or
structure shall be assessed and taxed for public
school purposes commencing on the 1st day of Janu-
ary following the erection or construction of such
building or structure in the same manner as land
situate in the Township School Area of South Peel
as it existed on the 31st day of December, 1963.

2. This Act comes into force on the day it receives Royal ^{Commence-}
Assent. ^{ment}

3. This Act may be cited as *The Township of Toronto Act*, ^{Short title}
1967.

CHAPTER 133

**An Act respecting
United Co-operatives of Ontario**

*Assented to March 22nd, 1967
Session Prorogued June 15th, 1967*

WHEREAS United Co-operatives of Ontario, herein ^{Preamble} called the Company, by its petition has represented that it was incorporated by *The United Co-operatives of Ontario Act, 1948* ^{1948, c. 130} with an authorized capital of \$3,000,000 divided into 214,950 common shares having a par value of \$10 each and 121,500 non-voting preference shares having a par value of \$7 each, and that all the issued preference shares of the Company have been redeemed, and that by *The United Co-operatives of Ontario Act, 1956* ^{1956, c. 126} the unissued preference shares were cancelled and the authorized capital increased to \$6,000,000 by the creation of 385,050 common shares having a par value of \$10 each ranking in all respects *pari passu* with the existing common shares, and that the authorized capital of the Company has since been reduced to \$3,948,830 by the purchase for cancellation of 205,117 issued common shares of the Company, and that by *The United Co-operatives of Ontario Act, 1965* ^{1965, c. 173} the authorized capital of the Company was increased to \$25,000,000 by the creation of 1,105,117 common shares with a par value of \$10 each ranking on a parity with the existing common shares, the creation of 500,000 Class "A" non-voting preference shares with a par value of \$10 each and the creation of 500,000 Class "B" non-voting preference shares with a par value of \$10 each; and whereas the petitioner has prayed for special legislation in respect of the matters hereinafter set forth; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Notwithstanding subsection 1 of section 4 of *The United Co-operatives of Ontario Act, 1948*, as re-enacted by section 3 of *The United Co-operatives of Ontario Act, 1965*, ^{Common shares reclassified 1948, c. 130, s. 4, subs. 1 (1965, c. 173, s. 3)}

- (a) 400,000 of the unissued common shares of the Company are reclassified as 400,000 Class "A" non-

voting

voting preference shares ranking on a parity with the existing Class "A" non-voting preference shares; and

- (b) 200,000 of the unissued common shares of the Company are reclassified as 200,000 Class "B" non-voting preference shares ranking on a parity with the existing Class "B" non-voting preference shares.

1948,
c. 130, s. 4
(1965,
c. 173, s. 3),
subs. 3,
par. 1,
amended

2.—(1) Paragraph 1 of subsection 3 of section 4 of *The United Co-operatives of Ontario Act, 1948*, as re-enacted by section 3 of *The United Co-operatives of Ontario Act, 1965*, is amended by striking out "4" in the eighth line and inserting in lieu thereof "6", so that the paragraph shall read as follows:

1. The holders of the Class "B" preference shares shall in each year in the discretion of the directors, but always in preference and priority to any payment of patronage dividends or dividends on the common shares for such year, be entitled, out of any and all profits or surplus available for dividends, to cumulative dividends at the rate of 6 per cent per annum on the amount paid up on the Class "B" preference shares; if on any dividend payment date the dividend payable on such date is not paid in full on all the Class "B" preference shares then issued and outstanding, such dividend, or the unpaid portion thereof, shall be paid at a subsequent date or dates as and when declared by the board of directors; the holders of Class "B" preference shares shall not be entitled to any dividends other than or in excess of the cash dividends hereinbefore provided for; no dividends shall at any time be declared and paid on or declared and set apart for the common shares or any of them or any other shares of the Company junior to the Class "B" preference shares, nor shall the Company call for redemption less than all the outstanding Class "B" preference shares unless all accrued dividends on the Class "B" preference shares then issued and outstanding shall have been declared and paid or provided for at the date of such declaration or payment or setting apart or call for redemption.

1948,
c. 130, s. 4
(1965,
c. 173, s. 3),
subs. 4,
re-enacted

- (2) Subsection 4 of the said section 4 is repealed and the following substituted therefor:

Application
of
R.S.O. 1960,
c. 363, s. 19,
subs. 2,
par. 9

- (4) ⁷The exemption contained in paragraph 7 of subsection 2 of section 19 of *The Securities Act, 1966*, or any predecessor thereof, does not apply to the Class "A" or Class "B" preference shares.

3. This Act comes into force on the day it receives Royal ^{Commence-}
Assent._{ment}

4. This Act may be cited as *The United Co-operatives of* ^{Short title}
Ontario Act, 1967.

CHAPTER 134

**An Act respecting
The University of Western Ontario**

*Assented to June 15th, 1967
Session Prorogued June 15th, 1967*

WHEREAS The University of Western Ontario by its ^{Preamble} petition has prayed for special legislation varying the provisions of its Act of incorporation in relation to its organization, government and administration; and whereas it is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. In this Act,

^{Interpre-}
^{tation}

- (a) "Board" means The Board of Governors of The University of Western Ontario;
- (b) "college" means a school, college or faculty or other institution of higher learning offering courses leading to a degree;
- (c) "Faculty" means full-time members of the academic staff of the University including the Vice-Chancellor and academic Deans, and such of the part-time academic staff of the University as the Senate may from time to time determine;
- (d) "property" means all property, both real and personal;
- (e) "real property" means messuages, lands, tenements and hereditaments, whether corporeal or incorporeal, and any undivided share thereof and any estate or interest therein;
- (f) "Senate" means the Senate of the University of Western Ontario;
- (g) "student body" means those persons who are at the pertinent time enrolled as full-time students in any programme leading to a degree in any of the colleges of the University, but does not include students of an affiliate of the University;

(h)

(h) "University" means The University of Western Ontario, but does not include any college affiliated with the University.

University
continued

2. The University, commonly known as "Western", the Board and the Senate and the statutes and regulations of, appointments in and affiliation of colleges with, the University, existing at the time this Act comes into force, are and each of them is hereby continued, subject to this Act.

Religious
tests not
required

3. The government, management and control of the University shall continue to be undenominational and no religious test shall be required of any officer, member of the teaching staff, employee or student of the University, nor shall any religious observances be imposed on him.

Proceedings
by or against
University

4. All proceedings by or against the University may be had and taken in the name of "The University of Western Ontario".

GRANTS

Grants by
City of
London

5. The City of London may grant annually or from time to time to the University such sum as the City and the University may agree upon, without obtaining the assent of the electors qualified to vote on money by-laws for such grant, except that any grant exceeding in any one year \$1 per capita of population as determined by the last yearly census as returned to the clerk by the assessment commissioner shall first receive the assent of the electors.

Grants by
counties

6. The county council of any of the counties of Essex, Kent, Elgin, Norfolk, Lambton, Middlesex, Oxford, Brant, Huron, Bruce, Grey, Perth, Wellington, and Waterloo, or the council of any municipality in such counties other than the City of London, may make grants to the Board for the use of the University without obtaining the assent of the electors qualified to vote on money by-laws for such grant, except that any grant in excess of \$20,000 in any one year shall first receive the assent of the electors.

PROPERTY

Property in
trust vested
in Board

7. All property heretofore or hereafter granted, conveyed, devised or bequeathed by any person, firm or corporation in trust for or for the benefit of the University or of any faculty, school or department thereof or otherwise in connection therewith, subject to the trust affecting the same, vests in the Board.

Application
of statute of
limitations
to property

8. All real property vested in the Board shall, as far as the application of any statute of limitations is concerned, including any statute limiting or defining the period for the investi-

gation

gation of titles, be deemed to have been and to be real property vested in the Crown for the public use of the Province of Ontario.

9. Real property vested in the Board shall not be liable to be entered upon, used or taken by any corporation except a municipal corporation or by any person possessing the right of taking land compulsorily for any purpose and no power to expropriate real property hereafter conferred shall extend to such real property unless the Act conferring the power applies thereto in express terms.

Land vested in Board not liable to expropriation

THE BOARD OF GOVERNORS

10. The Board of Governors of the University is hereby continued as a body corporate by the name and style of "The Board of Governors, The University of Western Ontario".

Board continued

11.—(1) The Board shall consist of,

Composition of Board

- (a) the President of the University, the Mayor of the City of London, the Warden of the County of Middlesex, and the Chancellor of the University, who shall be *ex officio* members;
- (b) four persons appointed by the council of the City of London;
- (c) four persons appointed by the Lieutenant Governor in Council;
- (d) two persons appointed or elected by the Alumni Association of the University;
- (e) four members of the Faculty who are or have been members of the Senate elected by the Senate;
- (f) one member elected by the student body in such manner and on such terms as the Board may determine, after consultation with the elected representatives of the student body, who shall be either the holder of a degree, which may include an honorary degree, from the University, or a former member of the Faculty, and such member shall not at the time of his election be or have been within the preceding twelve months a member of the student body or of any of its affiliates, but may be enrolled in a post-graduate course in any other degree-granting institution;
- (g) four persons elected by the members appointed or elected under clauses *b, c, d, e* and *f*; and

(h)

- (h) such Vice-Presidents as are appointed to the Board by the members appointed under clauses *b, c, d, e, f* and *g*, which appointments may be terminated at any time.

Failure to
elect or
appoint

(2) The failure of any of the foregoing bodies to elect or appoint a member does not invalidate the composition of the Board, and, where a default continues for three months after an election or appointment should have been made, the remaining members of the Board may, but shall not be obliged to, elect a member to fill the vacancy.

Term of
office

12. Except with respect to *ex officio* members and members elected or appointed to fill a vacancy as provided in section 15, each member shall hold office for four years, shall be eligible for re-appointment or re-election, as the case may be, for two further terms of office, and shall hold office until his successor is elected or appointed.

Eligibility

13.—(1) No person is eligible for appointment or election to the Board whose customary place of residence is not within Ontario.

Idem

(2) Except as otherwise provided in this Act, no member of the governing body, administration, Faculty or student body of the University or of any other degree-granting institution is eligible for appointment or election as a member of the Board.

Membership
vacated

14.—(1) Where a member of the Board during his term of office ceases to be eligible for appointment or election to the Board under section 11 or 13 or becomes mentally incapacitated or otherwise incapable of acting as a member, the Board by resolution shall declare his membership vacant.

Meetings

(2) Where, within any fiscal year of the University, a member of the Board not having been granted leave of absence by the Board attends less than 50 per cent of the regular meetings of the Board, the Board by resolution may declare his membership vacant.

Idem

(3) Where, within any fiscal year of the University, a member of the Board not having been granted leave of absence by the Board attends less than 25 per cent of the meetings of the Board, the Board by resolution shall declare his membership vacant.

Proof

(4) A resolution declaring a vacancy, entered in the minutes of the Board, is conclusive evidence of the vacancy.

Filling
vacancies

15. Where a vacancy on the Board occurs before the term of office for which a person has been appointed or elected has expired, the vacancy may be filled in the same manner

and

and by the same authority as the person whose membership is vacant was appointed or elected, and the person so appointed or elected shall hold office for the remainder of the term of office of the person whose membership is vacant, except that, in the case of an election of a person to fill a vacancy in those members elected under clause *g* of subsection 1 of section 11, all members elected pursuant to such clause who remain in office are entitled to vote.

16.—(1) The Board shall elect one of its members to be ^{Chairman and vice-chairman} chairman and one of its members to be vice-chairman, and, in the case of the absence or illness of the chairman or of there being a vacancy in the office of chairman, the vice-chairman shall act as and have all the powers of the chairman.

(2) Where the chairman and vice-chairman are absent or ^{Absence} ill, the Board may appoint one of its members to act as chairman for the time being and the member so appointed shall act as and have all the powers of the chairman.

17. A quorum of the Board consists of eight members, ^{Quorum} not including *ex officio* members.

18. Notwithstanding any vacancy, so long as there are at ^{Exercise of powers} least twelve members, not including *ex officio* members, the Board may exercise any of its powers.

19. A member of the Board who is in any way interested in ^{Interest in work of the Board} a proposed contract with the University shall declare his interest at any meeting of the Board at which the proposed contract is considered, shall withdraw from the meeting during any discussion of such contract and shall not vote thereon.

20. Except in such matters as are assigned by this Act to ^{Management of the University} the Senate or other body, the government, conduct and management and control of the University and of its property and affairs are vested in the Board, and the Board may do such things as it considers necessary or convenient to advance the interests of the University.

21. Without limiting the generality of section 20, the ^{Powers of the Board} Board may,

- (a) appoint the President and Vice-Chancellor, but before so acting the Board shall request a recommendation from a committee, to be convened by the chairman of the Board, composed of five members of the Board to be named by it, and five members of the Faculty to be named by the Senate, which committee shall appoint its own chairman and determine its own procedure, and any recommendation of the committee shall be made in writing

signed

signed by at least eight members and delivered to the Board within nine months of the date on which the Board names five members to the committee or the date on which the Board requests the Senate to name five members to the committee, whichever date is later, and, failing a recommendation within that period, the Board may appoint the President;

- (b) on the recommendation of the President, appoint as many Vice-Presidents as the Board and the Senate may consider necessary, the heads of all academic units within the University, the Librarian, the Registrar, the professors and all other members of the academic staff of the University, but all such appointments made by the Board shall be in accordance with the policies and procedures made by the Senate;
- (c) appoint all other employees the Board may consider necessary;
- (d) fix and provide for the remuneration, tenure of office or employment, retirement and superannuation, or other conditions of employment of the persons mentioned in clauses *a*, *b* and *c*, which employment, in the absence of contract or policy of tenure, shall be at the pleasure of the Board, in the absence of contract or policy of tenure and determine their functions, duties and powers, but the policies and procedures followed in respect of the appointment of persons under clause *b* shall be adopted and promulgated after consultation with the Senate, and such other bodies within the University as may be appropriate;
- (e) expend such sums as may be required for the purposes of funds that are established for the payment of gratuities, retirement allowances, pensions, life insurance or other insurance, including health insurance, for the benefit of the persons mentioned in clauses *a*, *b* and *c*;
- (f) make regulations pertaining to the meetings of the Board and its transactions, create committees to exercise any of its powers and delegate authority to individuals or committees created by it;
- (g) appoint by resolution a member or members of the Board or any other person or persons to execute on behalf of the Board either documents and other instruments in writing generally or specific documents and other instruments in writing and to affix the corporate seal of the Board thereto;

(h)

- (h) fix the fees to be paid for instruction under the control of the University, for all ancillary activities and for examinations, degrees, diplomas and certificates;
- (i) provide such means for health service and health examination for the students of the University as the Board may see fit;
- (j) expend such sums as the Board considers necessary for the support and maintenance of the University and for the betterment of existing buildings and for the furnishing and equipment of existing and newly erected buildings and, having first requested the advice of the Senate, for the erection of such new buildings as the Board considers necessary for the use or purposes of the University;
- (k) subject to the limitations imposed by any trust, invest all such money as shall come to the University in such manner as the Board may see fit;
- (l) borrow from time to time such sums as may be required for the use of the University, and give such security against the assets of the University by way of mortgage or otherwise as the Board may determine;
- (m) apply for, purchase and otherwise deal with inventions, trademarks, trade names, copyright or similar rights or interests therein in any manner that the Board considers necessary for the proper running of the University; and
- (n) pass resolutions and make recommendations to the Senate with respect to any matter connected with the administration of the University and the promotion of its affairs, but this power shall not be interpreted as subtracting from the powers and duties conferred on the Senate by this Act.

22. On the recommendation of the Senate, the Board may, *Idem*

- (a) establish such faculties, schools, departments, chairs and courses of instruction in any subject in the University or elsewhere as the Board may determine, but the Senate shall determine the curricula of all courses of instruction;
- (b) enter into agreements for the founding or establishment of chairs, scholarships, fellowships, prizes, bursaries and other awards;

(c)

- (c) provide for the affiliation with the University of any college in Ontario offering courses leading to a degree and established for teaching any branch of learning on such terms as the Board may determine, and enter into any agreement that the Board may consider necessary to effectuate affiliation, and in order to preserve the undenominational nature of the University no more than two colleges of the same denominational control shall be affiliated with the University at the same time, and no college affiliated with the University shall be affiliated with or have affiliated with it any other college, school or institute of higher learning without specific permission in writing by the Board;
- (d) provide for the dissolution, modification or alteration of the terms of any affiliation; and
- (e) provide for the government and control of residences operated and maintained by the University.

Authentica-
tion of
by-laws, etc.

23. Except as otherwise provided in this Act, the Board may act by resolution or by-law authenticated in a manner prescribed by the Board.

Audit of
accounts

24.—(1) The Board shall appoint an auditor or auditors to audit the accounts of the Board at least once a year.

Annual
report

(2) The Board shall make an annual financial report to the Lieutenant Governor in Council in such form as the Lieutenant Governor in Council may require, and the Provincial Secretary shall lay the report before the Assembly if it is in session or, if not, at the next ensuing session.

Questions
as to
powers

25. Where any question arises as to the powers or duties of the President and Vice-Chancellor, Vice-Presidents, Faculty or any senior administrative officer of the University, after consultation with the Senate, it shall be settled and determined in accordance with this Act by the Board, whose decision is final.

SENATE

Senate, how
composed

26.—(1) There shall be a Senate of the University composed of,

- (a) the following *ex officio* members,
 - (i) the Chancellor,

(ii)

- (ii) the Vice-Chancellor,
- (iii) such Vice-Presidents of the University as the Board and the Senate may determine,
- (iv) the Deans of the academic units of the University,
- (v) the Director of Summer School and Extension,
- (vi) the Librarian, and
- (vii) the Registrar, who shall be Secretary of the Senate,

of whom the Chancellor, the Vice-Presidents, the Director of Summer School and Extension, the Registrar and the Librarian shall be non-voting members;

(b) members elected, in the following numbers,

- (i) Faculty of Arts and Science,
 - 1. Humanities Division—three members,
 - 2. Social Sciences Division—three members,
 - 3. Natural Sciences Division—three members,
 - 4. College of Music—one member,
- (ii) School of Business Administration—two members,
- (iii) Faculty of Dentistry—one member,
- (iv) Althouse College of Education—one member,
- (v) Faculty of Engineering Science—two members,
- (vi) Faculty of Graduate Studies—ten members,
- (vii) Faculty of Law—one member,
- (viii) School of Library and Informational Sciences—one member,
- (ix) Faculty of Medicine—three members,
- (x) School of Nursing—one member, and

(xi)

- (xi) any other college that may hereafter be established within the University and that offers courses leading to a degree—one member;
- (c) two members of the Board selected by the Board in such manner as from time to time it may establish;
- (d) two members from each affiliated college, one of whom shall be the academic head of that college and the other elected as provided in section 27;
- (e) three students of the University, being two from the undergraduate student body and one from the graduate student body, elected in such manner and for such term as the Senate from time to time may establish; and
- (f) six persons from the general community, selected by the Senate in such manner as it from time to time may establish, of whom one shall be either the President of or appointed by the Alumni Association of the University and one shall be active in or associated with the field of secondary school education and of whom not fewer than four persons shall be alumni of the University.

Regulation
to vary
number of
members

(2) Upon an application by the Senate approved by at least two-thirds of the members of the Senate, the Lieutenant Governor in Council may make regulations varying the number of members set out in clause *b* of subsection 1.

Officers

(3) The Vice-Chancellor shall be the chairman of the Senate, and a vice-chairman shall be elected from among its members in such manner as the Senate may establish.

Election of
members

27.—(1) The election of a representative under clause *b* or *d* of subsection 1 of section 26 shall be by secret ballot of the members of the academic unit to be represented who hold an appointment of Assistant Professor or higher.

Idem

(2) No person is eligible for election to the Senate under clause *b* or *d* of subsection 1 of section 26 unless he is a member of the academic unit to be represented, holds the rank of Assistant Professor or higher and has held an academic appointment at the University for two years.

Disputes

(3) Where a dispute arises as to who is eligible to vote under subsection 1 or to hold office under subsection 2, the Senate shall determine the dispute and its decision is final.

(4) Except as otherwise provided in this Act, a member of the Senate, other than an *ex officio* member, shall hold office for a term of two years and is not eligible to be elected for more than two consecutive terms, but is eligible for re-election after a lapse of two years after the expiration of the second of two consecutive terms.

(5) Where an academic unit has more than one elected representative, the terms of office of such representatives shall be staggered in such manner as the Senate may from time to time prescribe.

28.—(1) Where an elected or appointed member of the Senate resigns, becomes mentally incapacitated or otherwise incapable of acting or ceases to possess the qualifications set out in sections 26 and 27, the Senate shall by resolution declare his membership vacant.

(2) Where within any year a member of the Senate not having been granted leave of absence by the Senate attends less than 50 per cent of the regular meetings of the Senate, the Senate may by resolution declare his membership vacant.

(3) Where within any year a member of the Senate not having been granted leave of absence by the Senate attends less than 25 per cent of the regular meetings of the Senate, the Senate shall by resolution declare his membership vacant.

(4) Where any member of the Senate is granted leave of absence by the Senate, provision shall be made for an alternate member who, during such leave of absence, shall have all the powers of a member of the Senate.

(5) A resolution passed under this section entered into the minutes of the Senate shall be conclusive evidence of the vacancy declared therein.

29. Where a vacancy on the Senate occurs before the term of office for which a member has been appointed or elected has expired, the vacancy shall be filled in the same manner and by the same authority as the member whose membership is vacant was appointed or elected, and the member so appointed or elected shall hold office for the remainder of the term of office of the member whose membership is vacant.

30.—(1) The Senate shall meet at least four times a year and at such other times as the Senate from time to time may prescribe.

Special
meetings

(2) A special meeting of the Senate shall be called on the written notice of any seven Senators, and shall be convened within fifteen days thereafter, to consider the matter or matters set out in the notice.

Duties of
Senate

31. The Senate is responsible for the academic policy of the University and, without limiting the generality of the foregoing, the Senate shall,

- (a) create faculty councils or committees and committees generally to exercise any of its powers and shall approve their form and method of operation;
- (b) determine all courses of study, including standards for admission into the University and qualifications for degrees;
- (c) conduct examinations, appoint examiners and decide finally all matters relating thereto;
- (d) deal with matters arising in connection with the award of fellowships, scholarships, medals, prizes and other awards;
- (e) provide for the convening and conduct of convocations;
- (f) confer honorary degrees in divinity without fee upon the recommendation of any theological college affiliated with the University;
- (g) establish and recommend to the Board policies and procedures to be followed in the selection, appointment, promotion and termination of appointment of the members of the Faculty, as well as the conditions under which tenure and sabbatical leave are granted;
- (h) in collaboration with the Board create a committee to make recommendations respecting the appointment of the President and Vice-Chancellor as provided in clause *a* of section 21 and shall be consulted before the termination of any appointment so made; and
- (i) make recommendations and give advice to the Board on the matters mentioned in clause *b* of section 21 and section 22.

Idem

32. The Senate may,

- (a) confer degrees, diplomas and certificates in any subject taught in the University or in theology as taught in any of the affiliated colleges;

(b)

- (b) confer honorary degrees in any department of learning;
- (c) provide by-laws and regulations for the conduct of its proceedings including the determination of a quorum necessary for the transaction of business;
- (d) establish such committees as the Senate considers necessary, including an executive committee that may act in the name and on behalf of the Senate between regular meetings of the Senate;
- (e) inquire into and publish reports upon any matter that affects the academic reputation or effectiveness of the University; and
- (f) pass resolutions and make recommendations to the Board with respect to any matter connected with the administration of the University and the promotion of its affairs, but this clause shall not be construed to subtract from the powers and duties conferred on the Board elsewhere in this Act.

THE ASSEMBLY OF THE UNIVERSITY

33.—(1) There shall be an advisory body called “The ^{Assembly of the University} Assembly of the University” composed as follows,

- (a) the Chancellor;
- (b) the Vice-Chancellor, who shall be the chairman of the Assembly;
- (c) the chairman of the Board and four members of the Board chosen by it;
- (d) five members chosen by the Senate;
- (e) the Vice-Presidents, and the Registrar who shall be the Secretary of the Assembly;
- (f) the Deans of all faculties of the University;
- (g) the academic head and two members from each affiliated college;
- (h) ten members chosen by the University Students’ Council, two members chosen by the Society of Graduate Students and one member chosen by the Masters of Business Administration Association;
- (i) the chairman of the Alumni Association and his executive;
- (j) five members chosen by the City of London, two members chosen by the Board of Education of the City of London, and one member chosen by the Separate School Board of the City of London;

(k)

- (*k*) the Warden, or one member of the county council to be chosen by it, of each of the counties named in section 6;
- (*l*) one member of the municipal council of each city, other than the City of London, in the counties named in section 6;
- (*m*) ten members chosen by the Secondary School Headmasters Association;
- (*n*) one member chosen from each of the Colleges of Applied Arts and Technology in the counties named in section 6;
- (*o*) the members of Parliament representing the ridings of Middlesex and London;
- (*p*) the members of the Legislative Assembly representing the ridings of London and Middlesex and the ridings abutting those ridings;
- (*q*) ten members at large appointed by the Board and ten members at large appointed by the Senate; and
- (*r*) such other persons as the Board and the Senate may by joint action appoint.

Term of
office

(2) Each member, other than *ex officio* members, shall hold office for such term as the Assembly may from time to time determine.

Meetings of
Assembly

(3) The President shall convene the Assembly at least once in each academic year to receive and discuss reports from the Vice-Chancellor and from the chairman of the Board concerning the state and aims of the University, to discuss any matter affecting the University and at the request of the Board or of the Senate to advise thereon, and to provide by its meetings a forum whereby liaison between the University and the public may be established and promoted in the furtherance of the University's academic aims and purposes.

UNIVERSITY LIAISON COMMITTEE

University
Liaison
Committee

34.—(1) There shall be a body called the University Liaison Committee composed of such equal number of representatives from the Board, Senate and student body as the Board may from time to time determine, such members to be appointed or selected in such manner as shall be determined by the body which they respectively represent.

(2) The Committee shall meet at the call of the President at least every second month during the months of September to May inclusive, or at the request of the majority of the representatives of any two constituent bodies, to facilitate liaison on matters of mutual interest. Meetings of Committee

CHANCELLOR

35.—(1) There shall be a Chancellor of the University who shall be elected by an electoral board consisting of, Chancellor, election of

(a) six members, except *ex officio* members, of the Board, including the chairman of the Board; and

(b) six members of the Senate, including the Vice-Chancellor.

(2) Eight members of the electoral board, including the chairman of the Board and the Vice-Chancellor, constitute a quorum. Quorum

(3) No person shall occupy the office of Chancellor who is a member of the teaching or administrative staff, or who is an employee of the University or of any affiliated college, or who at the time of his election is a member of the Board or of the governing body of any affiliated college. Who ineligible

36. The term of office of the Chancellor shall be for four years commencing with the 1st day of July of the year in which he is elected and continuing until his successor is elected, but in any event not longer than six months after the expiration of his term of office, and no Chancellor shall be eligible for re-election. Term of office

37. Where a vacancy in the office of Chancellor occurs, the vacancy shall be filled by the election of a successor in the manner set out in section 35, and such successor shall hold office for four years terminating on the 30th day of June in the fourth year after his election, and no successor shall be eligible for re-election. Vacancy in office

38.—(1) Where the Chancellor ceases to be eligible for such office or becomes mentally incapacitated or otherwise incapable of acting, he shall vacate his office. Where Chancellor becomes ineligible

(2) A declaration of the existence of a vacancy in the office of Chancellor by the Senate and the Board entered in the minutes of the Senate and the Board is conclusive evidence of the vacancy. Evidence of vacancy

Duties

39. The Chancellor shall preside at all convocations and by virtue of the authority vested in him by the Senate shall admit to degrees, diplomas and certificates such candidates, including the recipients of honorary degrees, as may be requested by the Senate.

VICE-CHANCELLOR

Vice-Chancellor

40.—(1) There shall be a Vice-Chancellor of the University who shall be the President of the University.

Duties

(2) The Vice-Chancellor and President shall be the chief executive officer of the University and shall call a meeting of and report to the Faculty not less than once in each academic year.

Idem

(3) In the absence of the Chancellor or there being a vacancy in the office, the Vice-Chancellor or a member of the Faculty appointed by him shall act as Chancellor at Convocation.

Absence of Chancellor and Vice-Chancellor

(4) In the absence of both the Chancellor and the Vice-Chancellor, or if both offices are vacant, the Chancellor's duties shall be performed by a member of the Faculty appointed by the Senate for the purpose.

OFFICIAL VISITOR

Official Visitor

41. His Honour the Lieutenant Governor of the Province of Ontario is the Official Visitor of the University.

GENERAL

Review

42. The Board and the Senate shall review this Act within five years from the date of its enactment.

Former members continue until new Board and Senate constituted

43. The members of the Board and the Senate holding office immediately before this Act comes into force shall continue to hold office and constitute the Board and the Senate under this Act until the members of the Board and of the Senate are elected or appointed in accordance with this Act.

Repeal

44. *The University of Western Ontario Act, 1955* is repealed.

Commencement

45. This Act comes into force on the day it receives Royal Assent.

Short title

46. This Act may be cited as *The University of Western Ontario Act, 1967*.

CHAPTER 135

**An Act respecting
Waterloo Lutheran University**

*Assented to March 22nd, 1967
Session Prorogued June 15th, 1967*

WHEREAS Waterloo Lutheran University by its petition ^{Preamble} has represented that it was formerly Evangelical Lutheran Seminary of Canada, which institution acquired university status and certain ancillary powers by *The Waterloo Lutheran University Act, 1959*; and whereas by section 2 of *The Waterloo Lutheran University Act, 1959* the powers possessed by Evangelical Lutheran Seminary of Canada were continued in force until amended or repealed; and whereas by section 9 of *An Act to Incorporate Evangelical Lutheran Seminary of Canada*, being chapter 145 of the Statutes of Ontario, 1913, the Board of Governors was authorized to invest its surplus funds upon such securities as Trustees are by law authorized to invest trust funds; and whereas section 4 of *The Waterloo Lutheran University Act, 1959* granted to the University the power to grant degrees and to issue diplomas, certificates and other awards; and whereas the petitioner has prayed for special legislation amending and broadening its powers of investment and amending its degree-granting powers; and whereas it is expedient to grant the prayer of the petition; ^{1959, c. 142}

Therefore, Her Majesty, by and with the advice and consent of the Legislative Assembly of the Province of Ontario, enacts as follows:

1. Subsection 2 of section 4 of *The Waterloo Lutheran University Act, 1959* is amended by striking out "shall" in the ^{1959, c. 142, s. 4, subs. 2, amended} second line and inserting in lieu thereof "may", so that the subsection shall read as follows:

- (2) All degrees, diplomas, certificates and other awards, ^{Idem} except those in theology, may be granted and sealed in the name of Waterloo University College and, in the case of degrees in theology, the same shall be granted and sealed in the name of Waterloo Lutheran University.

1959, c. 142,
amended

2. *The Waterloo Lutheran University Act, 1959* is amended by adding thereto the following section:

Investment
powers

6a. The funds of the University not immediately required for its purposes and the proceeds of all property that come into the hands of the Board of Governors of the University, subject to any trust or trusts affecting them, may be invested and re-invested from time to time in such investments as the Board in its absolute discretion deems meet.

1913, c. 145,
s. 9,
repealed

3. Section 9 of *An Act to Incorporate Evangelical Lutheran Seminary of Canada* is repealed.

Commence-
ment

4. This Act comes into force on the day it receives Royal Assent.

Short title

5. This Act may be cited as *The Waterloo Lutheran University Act, 1967*.

CHAPTER 136

An Act respecting the City of Woodstock

*Assented to March 22nd, 1967
Session Prorogued June 15th, 1967*

WHEREAS The Corporation of the City of Woodstock ^{Preamble}
by its petition has prayed for special legislation in
respect of the matters hereinafter set forth; and whereas it
is expedient to grant the prayer of the petition;

Therefore, Her Majesty, by and with the advice and consent
of the Legislative Assembly of the Province of Ontario, enacts
as follows:

1. The Corporation of the City of Woodstock and The <sup>Agreement
with
East Oxford</sup>
Corporation of the Township of East Oxford are hereby
authorized and empowered to enter into the agreement set
forth as Schedule A hereto, and are authorized and em-
powered to carry out and perform the terms thereof.

2. The Corporation of the City of Woodstock and The <sup>Agreement
with
Blandford</sup>
Corporation of the Township of Blandford are hereby author-
ized and empowered to enter into the agreement set forth as
Schedule B hereto, and are authorized and empowered to
carry out and perform the terms thereof.

3. The Ontario Municipal Board shall be deemed to have <sup>Order of
OMB
deemed
issued
R.S.O. 1960,
c. 274</sup>
issued an order under section 64 of *The Ontario Municipal
Board Act* authorizing The Corporation of the City of Wood-
stock and the Corporations of the townships of Blandford
and East Oxford to enter into and carry out and perform the
terms of the agreements referred to in sections 1 and 2.

4. This Act comes into force on the day it receives Royal <sup>Commence-
ment</sup>
Assent.

5. This Act may be cited as *The City of Woodstock Act*, ^{Short title}
1967.

SCHEDULE A

THIS AGREEMENT made in duplicate this first day of January, 1967.

BETWEEN:

THE CORPORATION OF THE TOWNSHIP OF EAST OXFORD,

OF THE FIRST PART,

— and —

THE CORPORATION OF THE CITY OF WOODSTOCK,

OF THE SECOND PART.

WHEREAS by order of the Ontario Municipal Board dated the 26th day of October, 1966, the lands described in Schedule "A" hereto were annexed to the City of Woodstock effective on the 1st day of January, 1967; and

WHEREAS the Corporation of the City of Woodstock wishes to provide that the residents of the Corporation of the Township of East Oxford be not adversely affected by the acquisition of additional land by the Corporation of the City of Woodstock;

NOW THEREFORE THIS AGREEMENT WITNESSETH and the parties hereto covenant and agree as follows:

1. The Corporation of the City of Woodstock agrees to pay to the Corporation of the Township of East Oxford the sum of four thousand, five hundred (\$4,500.00) dollars per year for five years. The first payment shall be made within ten days of the effective date of acquisition of the lands described in Schedule "A" attached hereto and an additional four thousand, five hundred (\$4,500.00) dollars on the same date each year until twenty-two thousand, five hundred (\$22,500.00) dollars has been paid by the City of Woodstock to the Township of East Oxford.

2. The Corporation of the Township of East Oxford shall be responsible for snow-plowing the road between Concessions 2 and 3 of the Township of East Oxford from Highway 59 easterly to the line dividing the east and west halves of Lot 16, Concession 2, and that all other road maintenance on this road shall be carried on by and be the responsibility of the City of Woodstock. The Township of East Oxford agrees to snow-plow this road for a period of five years from the date of annexation, at which time agreement to snow-plow this road may be re-negotiated.

3. The City of Woodstock agrees to pay two hundred (\$200.00) dollars to the Township of East Oxford for expenses that may be incurred by the Township.

IN

IN WITNESS WHEREOF the parties hereto have hereunto affixed their Corporate Seals attested by the hands of the proper officers authorized in that behalf.

THE CORPORATION OF THE TOWNSHIP
OF EAST OXFORD:

.....
Reeve.

.....
Clerk.

THE CORPORATION OF THE CITY OF
WOODSTOCK:

.....
Mayor.

.....
Clerk.

*Schedule "A" to By-law**Parcel I*

ALL AND SINGULAR that certain parcel or tract of land and premises, situate, lying and being in the Township of East Oxford, in the County of Oxford and Province of Ontario, being composed of part of Lot 14 in the First Concession of said Township, and part of the road allowance between the Township of East Oxford and the Township of Blandford, the boundaries of said parcel being described as follows:

PREMISING that bearings herein are related to the southerly boundary of King's Highway No. 2 as widened by Registered Plan No. 402, which is assumed to have a bearing of North seventy-nine degrees one minute twenty seconds East (N. $79^{\circ} 01' 20''$ E.) across the westerly portion of the said lot;

Commencing at a point in the southerly boundary of King's Highway No. 2 as widened by Registered Plan No. 402 at the distance of one thousand two hundred and seventy-eight and eighty-nine-hundredths (1278.89) feet measured easterly along said southerly boundary from its intersection with the westerly boundary of the said lot; thence South fifteen degrees four minutes ten seconds East (S. $15^{\circ} 04' 10''$ E.) to the southerly boundary of the right-of-way of the Canadian National Railways; thence westerly along the southerly boundary of the said right-of-way to its intersection with the line between the east and west halves of the said Lot 14; thence northerly along this last-mentioned line to the southerly boundary of the said Highway; thence South seventy-nine degrees one minute twenty seconds West (S. $79^{\circ} 01' 20''$ W.) along the southerly boundary of the said Highway to its intersection with the production southerly of the line between the east and west halves of Lot 14 in the First Concession of the Township of Blandford; thence northerly along this last-mentioned line to the centre line of the road allowance between the Township of Blandford and the Township of East Oxford; thence easterly along the said centre line to its intersection with a line drawn on a course of North fifteen degrees four minutes ten seconds West (N. $15^{\circ} 04' 10''$ W.) through the point of commencement; thence South fifteen degrees four minutes ten seconds East (S. $15^{\circ} 04' 10''$ E.) to the point of commencement.

Parcel II

ALL AND SINGULAR that certain parcel or tract of land and premises, situate, lying and being in the Township of East Oxford, in the County of Oxford and Province of Ontario, being composed of lots 24 to 36 inclusive according to Registered Plan No. 573, part of Lot 14, Concession 1, Township of East Oxford, and part of the road allowance between Concessions 1 and 2, Township of East Oxford, the boundaries of said parcel being described as follows:

Commencing at the intersection of the easterly boundary of the said Lot 14 with the southerly boundary of the right-of-way of the Canadian National Railways; thence westerly along the southerly boundary of the said right-of-way to the northwest angle of Lot 34 according to said Registered Plan No. 573; thence southerly along the westerly boundary of the said Lot 34 and its production southerly to the southerly boundary of the road allowance between the First and Second Concessions of the said Township of East Oxford; thence easterly along the said southerly boundary to its intersection with the production southerly of the easterly boundary of the said Lot 14; thence northerly to and thence along the easterly boundary of the said Lot 14 to the point of commencement.

Parcel III

ALL AND SINGULAR that certain parcel or tract of land and premises, situate, lying and being in the Township of East Oxford, in the County of Oxford and Province of Ontario, being composed of part of lots 16, 17 and 18 in the Second Concession of said Township, the boundaries of said parcel being described as follows:

Commencing

Commencing at a point in the westerly boundary of the said Lot 16 at the distance of two hundred (200.00) feet measured southerly at right angles from the northerly boundary of the said Lot 16; thence southerly along the westerly boundary of the said Lot 16 to a point distant six hundred (600.00) feet southerly at right angles from the southerly boundary of King's Highway No. 401 according to Registered Plan No. 530; thence westerly parallel with the southerly boundary of the said Highway to the line between the east and west halves of Lot 18 in the Second Concession of the said Township; thence southerly along this last-mentioned line and its production southerly to the centre line of the road allowance between the Second and Third Concessions of the said Township; thence westerly along the said centre line to its intersection with the centre line of King's Highway No. 59 according to Registered Plan No. 446; thence southerly along this last-mentioned centre line to its intersection with the production westerly of the southerly boundary of the road allowance between the Second and Third Concessions of the said Township; thence easterly along the said production and thence along the southerly boundary of the said road allowance to its intersection with the production southerly of the line between the east and west halves of the said Lot 16 in the Second Concession of the said Township; thence northerly to and thence along the line between the east and west halves of the said Lot 16 to a point distant two hundred (200.00) feet measured southerly at right angles from the northerly boundary of the said Lot 16; thence westerly parallel with the northerly boundary of the said Lot 16 to the point of commencement.

SCHEDULE B

THIS AGREEMENT made in duplicate this first day of January, 1967.

BETWEEN:

THE CORPORATION OF THE TOWNSHIP OF BLANDFORD,

OF THE FIRST PART,

— and —

THE CORPORATION OF THE CITY OF WOODSTOCK,

OF THE SECOND PART.

WHEREAS by order of the Ontario Municipal Board dated the 26th day of October, 1966, the lands described in Schedule "A" hereto were annexed to the City of Woodstock, effective on the 1st day of January, 1967; and

WHEREAS the Corporation of the City of Woodstock wishes to provide that the residents in the Corporation of the Township of Blandford be not adversely affected by the acquisition of additional lands by the Corporation of the City of Woodstock;

NOW THEREFORE THIS AGREEMENT WITNESSETH and the parties hereto covenant and agree as follows:

1. The Corporation of the City of Woodstock agrees to pay to the Corporation of the Township of Blandford the sum of one thousand, six hundred (\$1,600.00) dollars per year for five years. The first payment shall be made within ten days of the effective date of acquisition of lands described in Schedule "A" attached hereto and an additional one thousand, six hundred (\$1,600.00) dollars on the same date each year until eight thousand (\$8,000.00) dollars has been paid by the City of Woodstock to the Township of Blandford.

IN WITNESS WHEREOF the parties hereto have hereunto affixed their Corporate Seals attested by the hands of the proper officers authorized in that behalf.

THE CORPORATION OF THE TOWNSHIP
OF BLANDFORD:

.....
Reeve.

.....
Clerk.

THE CORPORATION OF THE CITY OF
WOODSTOCK:

.....
Mayor.

.....
Clerk.

*Schedule "A" to By-law**Parcel I*

ALL AND SINGULAR that certain parcel or tract of land and premises, situate, lying and being in the Township of Blandford, in the County of Oxford and Province of Ontario, being composed of part of lots 13 and 14 in the First Concession of the said Township and part of the road allowance between the Township of Blandford and the Township of East Oxford;

PREMISING that bearings herein are referred to the northerly boundary of King's Highway No. 2 across the said Lot 14, which is assumed to have a bearing of North seventy-nine degrees one minute twenty seconds East (N. 79° 01' 20" E.) as shown on Registered Plan No. 402:

Commencing at a point in the northerly boundary of King's Highway No. 2 according to Registered Plan No. 397 at the distance of one thousand and sixty-three and forty-two-hundredths (1063.42) feet measured easterly along said northerly boundary from its intersection with the westerly boundary of said Lot 13; thence North fifteen degrees twelve minutes thirty seconds West (N. 15° 12' 30" W.) twenty and six-hundredths (20.06) feet; thence North fifteen degrees fourteen minutes fifty seconds West (N. 15° 14' 50" W.) two thousand one hundred and fifty-seven and sixty-three-hundredths (2157.63) feet to the line between the north and south halves of said Lot 13; thence westerly along the line between the north and south halves of said lots 13 and 14 to its intersection with the line midway between the east and west halves of said Lot 14; thence southerly along this last-mentioned line to a point three hundred and eighty-six and eighty-eight-hundredths (386.88) feet measured northerly along the said line from its intersection with the northerly boundary of King's Highway No. 2 according to Registered Plan No. 397; thence South seventy-nine degrees eighteen minutes twenty seconds West (S. 79° 18' 20" W.) two hundred and seventy-two and twenty-eight-hundredths (272.28) feet; thence South nine degrees fifty minutes ten seconds East (S. 09° 50' 10" E.) to the centre line of the road allowance between the Township of Blandford and the Township of East Oxford; thence easterly along the said centre line to its intersection with a line drawn on a course of South fifteen degrees twelve minutes thirty seconds East (S. 15° 12' 30" E.) through the point of commencement; thence North fifteen degrees twelve minutes thirty seconds West (N. 15° 12' 30" W.) to the point of commencement.

Parcel II

ALL AND SINGULAR that certain parcel of tract of land and premises, situate, lying and being in the Township of Blandford, in the County of Oxford and Province of Ontario, being composed of part of lots 14 and 15 in the First Concession of said Township, the boundaries of said parcel being described as follows:

Commencing at a point in the westerly boundary of the said Lot 15 distant one thousand (1000.00) feet north of the northerly limit of King's Highway No. 2 according to Registered Plan No. 402; thence in an easterly direction parallel to the north limit of King's Highway No. 2 according to Registered Plan No. 397 to a point midway between the east and west limits of the said Lot 14; thence northerly along the line midway between the east and west limits of the said Lot 14 to its intersection with the line between the north and south halves of the said Lot 14; thence westerly along the line between the north and south halves of the said lots 14 and 15 to its intersection with the westerly limit of the said Lot 15; thence southerly along this last-mentioned limit to the point of commencement.

CHAPTER 137

An Act respecting the Borough of York

Assented to June 15th, 1967
Session Prorogued June 15th, 1967

WHEREAS The Corporation of the Borough of York, Preamble
 herein called the Corporation, by its petition has prayed
 for special legislation in respect of the matters hereinafter
 set forth; and whereas it is expedient to grant the prayer of the
 petition;

Therefore, Her Majesty, by and with the advice and consent
 of the Legislative Assembly of the Province of Ontario, enacts
 as follows:

1.—(1) Subsection 2 of section 3 of *The Township of York* 1962-63,
c. 200, s. 3,
subs. 2,
re-enacted
Act, 1962-63 (No. 2) is repealed and the following substituted
 therefor:

- (2) Before passing a by-law under this section, notice Notice to
electors
 of the intention of the Corporation to pass the same
 shall be sent by prepaid mail to all persons who are
 shown in the last revised assessment roll of the muni-
 cipality as having the qualifications of municipal
 electors in respect of land abutting on the highways
 or parts thereof to be designated as aforesaid, at the
 addresses respectively shown for such persons in
 such roll.
- (3) Unless a petition objecting to the passing of the Petition
 proposed by-law, signed by at least two-thirds of
 the persons entitled to notice as aforesaid, is received
 by the borough clerk within one month next follow-
 ing the latest day of the mailing of any such notices,
 the Corporation may pass the by-law, but, if a peti-
 tion objecting to the passing of the proposed by-law,
 signed by at least two-thirds of the persons entitled
 to notice as aforesaid, is received by the borough
 clerk within such time, the Corporation shall not pass
 the by-law.
- (4) Where the council of the Corporation has proceeded Saving
 under this section and has been prevented from
 passing the proposed by-law by reason of a petition

objecting

objecting thereto having been presented under subsection 3, the council may again proceed under this section in respect of the highways or parts thereof proposed to be designated by such by-law at any time after the expiry of the two years next following the presentation of the petition.

1962-63,
c. 200, s. 3,
amended

(2) The said section 3 is amended by renumbering subsections 3, 4 and 5 as subsections 5, 6 and 7.

1964,
c. 150, s. 4,
subs. 1,
re-enacted

2. Subsection 1 of section 4 of *The Township of York Act, 1964* is repealed and the following substituted therefor:

Use of
untravelled
portions of
highways

(1) The Corporation is authorized and empowered to lease or license, for parking purposes, the use of untravelled portions of highways within the municipality to the owners or occupants of adjoining property that is lawfully used for commercial or industrial purposes for such consideration or upon such terms and conditions as may be agreed.

Commence-
ment

3. This Act comes into force on the day it receives Royal Assent.

Short title

4. This Act may be cited as *The Borough of York Act, 1967*.

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<i>amended</i>	313/65	Dec. 4/65
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<i>amended</i>	18/66	Jan. 29/66	
Colleges of Applied Arts and Technology	268/65	Nov. 6/65	
<i>amended</i>	374/66	Dec. 17/66	
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Cambrian	382/66	Dec. 31/66	
Centennial	190/66	July 16/66	
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Durham	45/67	Feb. 18/67	
<i>amended</i>	292/67	Aug. 19/67	
Fanshawe	383/66	Dec. 31/66	
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Northern	8/67	Jan. 21/67	
St. Clair	255/66	Sept. 3/66	
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<i>amended</i>	122/64	June 13/64	
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<i>amended</i>	34/62	Feb. 17/62	
<i>amended</i>	52/63	Mar. 9/63	
<i>amended</i>	113/64	May 30/64	
<i>amended</i>	329/64	Dec. 26/64	
<i>amended</i>	65/65	Mar. 20/65	
<i>amended</i>	110/65	May 22/65	
<i>amended</i>	94/66	April 16/66	
<i>amended</i>	54/67	Feb. 18/67	
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<i>amended</i>	145/61	July 3/61	
<i>amended</i>	141/62	June 23/62	
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<i>amended</i>	121/64	June 13/64	
<i>amended</i>	76/65	April 3/65	
<i>amended</i>	352/65	Jan. 8/66	
Municipal Recreation Directors' Certificates	20/66	Jan. 29/66	
<i>amended</i>	384/66	Dec. 31/66	
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<i>amended</i>	12/66	Jan. 22/66	
<i>amended</i>	69/66	April 2/66	
<i>amended</i>	183/66	July 9/66	
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<i>amended</i>	192/65	Aug. 14/65
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<i>amended</i>		48/65	Feb. 27/65
<i>amended</i>		291/65	Nov. 20/65
<i>amended</i>		204/66	July 23/66
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<i>amended</i>		101/66	April 23/66
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<i>amended</i>	323/63	Dec. 7/63
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<i>amended</i>	52/64	Mar. 14/64
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<i>amended</i>	93/65	May 1/65
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<i>amended</i>	294/66	Oct. 1/66	
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<i>amended</i>	223/66	July 30/66	
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<i>amended</i>	261/62	Oct. 20/62	
<i>amended</i>	332/62	Dec. 22/62	
<i>amended</i>	105/64	May 23/64	
<i>amended</i>	141/64	June 27/64	
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<i>amended</i>	379/66	Dec. 31/66	
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<i>amended</i>	71/66	April 2/66
<i>amended</i>	317/66	Oct. 29/66
<i>amended</i>	347/66	Nov. 26/66
<i>amended</i>	250/67	July 22/67
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<i>amended</i>	361/66	Dec. 3/66
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<i>amended</i>	149/65	June 26/65
<i>amended</i>	362/66	Dec. 3/66
Registrar's Annual Return.....	...	328/63	Dec. 14/63
<i>amended</i>	348/65	Jan. 8/66
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<i>amended</i>	105/65	May 15/65
<i>amended</i>	350/65	Jan. 8/66
<i>amended</i>	70/66	April 2/66
<i>amended</i>	112/66	April 30/66
<i>amended</i>	211/66	July 30/66
<i>amended</i>	348/66	Nov. 26/66
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<i>amended</i>	177/62	July 28/62
<i>amended</i>	304/62	Dec. 1/62
<i>amended</i>	320/62	Dec. 15/62
<i>amended</i>	59/63	Mar. 23/63
<i>amended</i>	243/63	Sept. 14/63
<i>amended</i>	230/66	Aug. 6/66
<i>amended</i>	93/67	Mar. 25/67
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<i>amended</i>	56/66	Mar. 12/66
<i>amended</i>	157/67	May 6/67

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<i>amended</i>	119/64	June 13/64
<i>amended</i>	237/64	Sept. 26/64
<i>amended</i>	133/66	May 14/66
<i>amended</i>	180/66	July 2/66
<i>amended</i>	18/67	Jan. 28/67
<i>amended</i>	132/67	April 22/67
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<i>amended</i>	236/62	Oct. 6/62
<i>amended</i>	316/62	Dec. 15/62
<i>amended</i>	106/63	May 11/63
<i>amended</i>	173/63	July 13/63
<i>amended</i>	281/63	Nov. 2/63
<i>amended</i>	70/64	April 11/64
<i>amended</i>	131/64	June 20/64
<i>amended</i>	132/64	June 20/64
<i>amended</i>	240/64	Sept. 26/64

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amended.....		123/65	May 29/65
amended.....		241/65	Oct. 2/65
amended.....		269/66	Sept. 10/66
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amended.....		186/62	Aug. 4/62
amended.....		128/63	June 8/63
amended.....		209/63	Aug. 17/63
amended.....		324/63	Dec. 14/63
amended.....		4/64	Jan. 25/64
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<i>amended</i>	46/67	Feb. 18/67
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<i>amended</i>	112/64	May 30/64
<i>amended</i>	288/64	Oct. 31/64
<i>amended</i>	61/65	Mar. 20/65
<i>amended</i>	185/65	July 31/65
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<i>amended</i>	89/64	May 2/64
<i>amended</i>	229/64	Sept. 12/64
<i>amended</i>	259/64	Oct. 17/64
<i>amended</i>	178/65	July 31/65
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<i>amended</i>	126/62	June 9/62
<i>amended</i>	328/62	Dec. 22/62
<i>amended</i>	45/63	Mar. 9/63
<i>amended</i>	347/63	Jan. 4/64
<i>amended</i>	16/65	Jan. 30/65
<i>amended</i>	176/65	July 24/65
<i>amended</i>	219/65	Sept. 18/65
<i>amended</i>	299/65	Nov. 20/65
<i>amended</i>	335/65	Dec. 25/65
<i>amended</i>	340/65	Jan. 1/66
<i>amended</i>	6/67	Jan. 21/67
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<i>amended</i>	78/67	Mar. 11/67

PART II

Showing the Regulations contained in Revised Regulations of Ontario, 1960 and subsequent Regulations filed to the 18th day of August, 1967, that have been revoked, are revoking only or have expired.

R.R.O. 1960 Regulations	Disposition	R.R.O. 1960 Regulations	Disposition
3	See S.O. 1961-62, c. 42, s. 20	131	Rev. 156/61
7	See S.O. 1965, c. 2	132	Rev. 334/64
10	Rev. 158/63	134	Rev. 196/64
11	Rev. 268/64	135	See S.O. 1961-62, c. 93, s. 19
12	Rev. 264/64	136	See S.O. 1961-62, c. 93, s. 19
13	Rev. 264/64	145	Rev. 232/66
14	Rev. 277/64	150	Rev. 50/66
15	Rev. 270/64	153	Rev. 97/67
16	Rev. 279/64	156	Rev. 110/66
17	Rev. 272/64	157	Rev. 174/66
18	Rev. 272/64	164	Rev. 98/67
19	Rev. 273/64	180	See S.O. 1961-62, c. 93, s. 19
20	Rev. 278/64	181	See S.O. 1964, c. 32, s. 1.
21	Rev. 278/64	186	Rev. 319/63
22	Rev. 274/64	187	Rev. 152/63
23	Rev. 274/64	188	Rev. 22/65
24	Rev. 276/64	189	Rev. 46/65
25	Rev. 276/64	190	Rev. 343/64
26	Rev. 26/64	191	Rev. 152/63
30	Rev. 104/67	192	Rev. 347/61
31	Rev. 26/67	193	Rev. 94/64
33	See S.O. 1960-61, c. 5, s. 17	194	Rev. 322/61
34	Rev. 111/62	195	Rev. 264/61
40	Rev. 329/65	196	Rev. 234/61
41	Rev. 338/65	197	Rev. 237/61
43	Rev. 339/65	198	Rev. 243/61
44	Rev. 133/61	201	Rev. 247/63
46	Rev. 297/64	203	Rev. 226/63
49	Rev. 271/65	204	Rev. 82/64
50	Rev. 384/61	205	Rev. 276/66
64	Rev. 221/66	207	Rev. 239/67
66	Rev. 297/67	210	Rev. 301/61
70	Rev. 283/63	211	Rev. 180/63
72	Rev. 332/65	220	Rev. 118/65
74	Rev. 63/66	221	Rev. 129/62
75	Rev. 258/61	225	Exp.
79	Rev. 123/64	228	Exp.
81	Rev. 340/66	235	Rev. 156/62
83	Rev. 143/61	238	Rev. 1/67
84	Rev. 142/61	241	Rev. 169/66
86	Rev. 175/64	247	Rev. 199/64
89	Rev. 20/66	257	Rev. 193/62
90	Rev. 28/63	262	Rev. 142/67
92	Rev. 19/66	263	Rev. 188/61
95	Rev. 280/63	264	Rev. 47/62
97	Rev. 142/61	269	Rev. 226/64
98	Rev. 341/66	272	Rev. 61/63
102	Rev. 199/65	274	Rev. 27/67
106	Rev. 137/62	275	Rev. 310/62
109	Rev. 100/63	278	Rev. 18/63
111	Rev. 260/65	280	Rev. 189/61
113	Rev. 293/61	281	Rev. 193/61
124	Rev. 377/61	284	Rev. 190/61
128	Rev. 4/66		

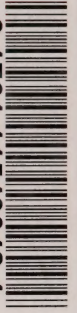
Ontario Regulations	Disposition	Ontario Regulations	Disposition
235/61	Exp.	343/61	Rev. 125/64
236/61	Exp.	344/61	Rev. 276/63
237/61	Rev. 176/62	345/61	Rev. 226/63
238/61	Rev. 289/63	347/61	Revkg.
239/61	See S.O. 1966, c. 142, s. 147 (1)	351/61	Exp
242/61	Rev. 133/62	352/61	Rev. 284/63
243/61	Rev. 133/62	355/61	Rev. 229/63
245/61	Rev. 149/62	362/61	Rev. 239/67
246/61	Rev. 211/63	365/61	Rev. 141/66
247/61	Rev. 190/62	367/61	Rev. 339/65
248/61	Rev. 104/67	368/61	Rev. 264/66
249/61	Rev. 37/62	372/61	Rev. 25/65
250/61	Rev. 190/62	375/61	Rev. 311/64
251/61	Rev. 190/62	376/61	Rev. 248/65
253/61	Rev. 211/63	378/61	Rev. 283/63
255/61	Rev. 265/64	381/61	Exp.
256/61	Rev. 110/63	382/61	Rev. 333/62
258/61	Rev. 305/62	383/61	Rev. 117/62
262/61	Rev. 176/62	385/61	Rev. 156/62
264/61	Rev. 229/63	388/61	Exp.
267/61	Rev. 247/63		
269/61	Rev. 305/63		
270/61	Rev. 187/65	4/62	Rev. 182/64
271/61	Rev. 133/62	5/62	Rev. 190/62
274/61	Rev. 235/65	6/62	Rev. 196/64
275/61	Rev. 1/67	7/62	Rev. 110/63
278/61	Rev. 266/62	9/62	See S.O. 1964, c. 103, s. 1
279/61	Exp.		Exp.
280/61	Rev. 133/62	11/62	Rev. 226/63
281/61	Rev. 355/61	19/62	Rev. 82/64
282/61	Rev. 301/61	20/62	Rev. 325/64
283/61	Revkg.	24/62	Rev. 22/65
286/61	Revkg.	25/62	Rev. 1/67
287/61	Rev. 190/62	26/62	Rev. 13/63
288/61	Rev. 190/62	30/62	Rev. 61/64
289/61	Rev. 190/62	31/62	Rev. 5/65
290/61	See S.O. 1965, c. 72, s. 27	32/62	Rev. 247/63
292/61	Rev. 119/62	36/62	Rev. 32/63
294/61	Rev. 39/64	37/62	Rev. 194/64
295/61	See S.O. 1965, c. 72, s. 27	40/62	Rev. 176/62
296/61	Rev. 76/67	43/62	Rev. 309/66
299/61	Exp.	48/62	Rev. 224/64
300/61	Rev. 133/62	49/62	Rev. 104/67
301/61	Rev. 359/66	50/62	Rev. 182/64
302/61	Exp.	51/62	Rev. 260/65
305/61	Rev. 22/65	53/62	Rev. 300/66
306/61	Rev. 229/63	56/62	Rev. 305/63
308/61	Rev. 190/62	57/62	See S.O. 1965, c. 72, s. 27
309/61	Rev. 29/66	59/62	See S.O. 1966, c. 142, s. 147 (1)
310/61	Rev. 224/67	60/62	Rev. 297/64
311/61	Rev. 305/63		Rev. 170/65
312/61	Revkg.	61/62	Rev. 104/67
314/61	Rev. 59/65	62/62	Rev. 19/66
317/61	Rev. 26/67	63/62	Rev. 300/66
319/61	Rev. 325/64	67/62	Rev. 196/64
320/61	Rev. 254/62	71/62	Rev. 309/64
321/61	Rev. 259/62	72/62	Rev. 151/64
322/61	Rev. 286/63	73/62	Rev. 239/67
324/61	Rev. 2/63	76/62	Rev. 26/65
326/61	Rev. 68/62	78/62	Rev. 325/64
327/61	Rev. 47/63	79/62	Rev. 82/64
331/61	Rev. 104/67	83/62	Rev. 13/63
333/61	Rev. 141/66	87/62	Exp.
334/61	Rev. 218/62	91/62	Rev. 1/67
341/61	See S.O. 1966, c. 142, s. 147 (1)	92/62	
		93/62	

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94/62	Rev. 110/63	250/62	Rev. 18/65
95/62	Rev. 313/62	253/62	Rev. 153/67
96/62	Rev. 294/62	254/62	Rev. 211/65
100/62	Rev. 359/66	255/62	Rev. 163/67
101/62	Rev. 305/63	256/62	Rev. 286/63
102/62	Rev. 211/63	257/62	Revkg.
104/62	Exp.	258/62	Rev. 162/63
105/62	Rev. 127/63	259/62	Rev. 285/63
109/62	Rev. 94/67	260/62	Rev. 280/63
110/62	Rev. 116/63	268/62	Rev. 305/63
113/62	Rev. 110/63	269/62	Rev. 258/63
114/62	Rev. 230/66	272/62	Rev. 189/63
120/62	Rev. 339/65	274/62	Rev. 322/62
127/62	Rev. 107/63	275/62	Rev. 359/66
131/62	Rev. 82/64	279/62	Rev. 305/63
132/62	Rev. 229/63	280/62	Rev. 4/67
133/62	Rev. 189/63	283/62	Rev. 130/66
134/62	Rev. 189/63	285/62	Rev. 284/63
136/62	Rev. 341/66	288/62	Rev. 338/65
138/62	Rev. 199/65	289/62	Rev. 27/63
142/62	Rev. 132/64	290/62	Rev. 110/63
144/62	Rev. 1/67	291/62	Revkg.
152/62	Rev. 297/67	292/62	Rev. 189/63
154/62	Rev. 187/65	295/62	Rev. 249/63
156/62	Revkg.	297/62	Rev. 1/67
160/62	Rev. 190/62	298/62	Rev. 309/64
161/62	Exp.	299/62	Exp.
163/62	Exp.	300/62	Rev. 82/64
165/62	Rev. 189/63	301/62	Revkg.
166/62	Rev. 128/65	305/62	Rev. 302/64
171/62	Rev. 247/64	309/62	Rev. 305/63
173/62	Rev. 170/63	315/62	Rev. 110/63
175/62	Rev. 239/67	326/62	Rev. 359/66
176/62	Rev. 249/63	327/62	Rev. 297/64
182/62	Rev. 274/64	334/62	Rev. 311/63
187/62	Rev. 222/67	336/62	Rev. 342/65
191/62	Rev. 160/65	340/62	Rev. 323/64
193/62	Rev. 51/67		
194/62	Rev. 264/66	2/63	Rev. 305/63
198/62	Rev. 339/65	3/63	Rev. 104/67
199/62	Rev. 1/67	4/63	Rev. 359/66
200/62	Rev. 304/63	8/63	Rev. 350/63
201/62	Rev. 260/65	9/63	Revkg.
202/62	Rev. 265/66	11/63	Rev. 104/67
204/62	Revkg.	13/63	Rev. 11/64
206/62	Rev. 93/67	17/63	Rev. 378/66
210/62	Rev. 199/65	19/63	Rev. 110/63
211/62	Rev. 102/66	20/63	Rev. 1/67
214/62	Rev. 236/63	24/63	Rev. 326/64
215/62	Rev. 240/63	26/63	Rev. 305/63
218/62	Revkg.	27/63	Rev. 125/64
220/62	Rev. 326/64	29/63	Rev. 340/66
221/62	Rev. 325/64	32/63	Rev. 16/64
222/62	Rev. 162/63	35/63	Rev. 254/65
223/62	Rev. 110/63	36/63	Rev. 305/63
224/62	Rev. 1/67	38/63	Rev. 187/65
229/62	Rev. 184/65	39/63	Rev. 289/63
230/62	Rev. 246/64	40/63	Rev. 11/64
233/62	Rev. 189/63	42/63	Rev. 121/64
234/62	Exp.	46/63	Rev. 339/65
235/62	Rev. 189/63	48/63	Rev. 25/65
237/62	Rev. 276/66	50/63	Rev. 76/67
238/62	Rev. 230/66	51/63	Rev. 107/67
239/62	Rev. 230/66	55/67	Rev. 1/67
242/62	Rev. 249/63	56/63	Rev. 110/63
243/62	Rev. 41/63	58/63	Rev. 149/64
246/62	Rev. 271/65	61/63	Rev. 221/65

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64/63	Rev. 260/65	244/63	Rev. 279/64
65/63	Revkg.	246/63	Rev. 139/65
66/63	Rev. 46/65	249/63	Revkg.
68/63	Rev. 305/63	251/63	Rev. 89/64
74/63	Rev. 244/64	254/63	Rev. 35/66
79/63	Rev. 199/65	255/63	Rev. 152/64
82/63	Rev. 46/65	258/63	Rev. 283/64
83/63	Rev. 71/65	261/63	See S.O. 1965, c. 72, s. 27
84/63	Rev. 24/65	262/63	Rev. 264/66
85/63	Exp.	266/63	Rev. 127/67
87/63	Rev. 230/66	267/63	Rev. 177/64
88/63	Rev. 182/64	272/63	Rev. 1/67
94/63	Rev. 306/63	273/63	Rev. 177/64
97/63	Exp.	275/63	Rev. 329/65
98/63	Exp.	276/63	Rev. 99/65
101/63	Rev. 305/63	278/63	Rev. 297/64
105/63	Rev. 1/67	280/63	Rev. 278/66
115/63	Rev. 185/67	289/63	Rev. 111/64
125/63	Rev. 53/64	290/63	Exp.
126/63	Rev. 226/63	293/63	Exp.
127/63	Rev. 82/64	294/63	Rev. 373/66
129/63	Rev. 5/64	297/63	Rev. 177/64
131/63	Rev. 26/65	298/63	Rev. 139/65
133/63	Rev. 6/65	299/63	Rev. 139/65
134/63	Rev. 38/66	301/63	Rev. 1/67
135/63	Rev. 6/65	304/63	Rev. 378/66
136/63	Rev. 7/65	310/63	Rev. 274/67
137/63	Revkg.	313/63	Rev. 24/65
138/63	Rev. 152/64	314/63	Rev. 260/65
141/63	Rev. 184/64	316/63	Exp.
143/63	Exp.	317/63	Rev. 301/64
144/63	Rev. 239/67	318/63	Rev. 22/64
146/63	Rev. 182/64	326/63	Rev. 14/65
147/63	Rev. 107/66	332/63	Rev. 197/64
149/63	Rev. 329/65	343/63	Rev. 76/67
152/63	Revkg.	344/63	Rev. 152/64
153/63	Rev. 127/67	349/63	Rev. 325/64
155/63	Rev. 179/67	350/63	Rev. 334/64
156/63	Rev. 1/67		
157/63	Rev. 267/64	6/64	Rev. 187/64
158/63	Revkg.	10/64	Rev. 182/64
159/63	Rev. 267/64	11/64	Rev. 19/65
160/63	Rev. 272/64	12/64	Rev. 329/65
162/63	Revkg.	13/64	Rev. 107/67
163/63	Rev. 316/66	16/64	Rev. 43/65
164/63	Rev. 13/65	17/64	Exp.
165/63	Rev. 16/64	21/64	Rev. 297/65
171/63	Rev. 359/66	25/64	See S.O. 1965, c. 72, s. 27
177/63	Rev. 172/66	27/64	Rev. 266/64
180/63	Revkg.	28/64	Rev. 266/64
181/63	Rev. 316/64	30/64	Rev. 1/67
187/63	Rev. 182/64	32/64	Rev. 35/66
189/63	Rev. 139/65	33/64	Rev. 303/65
192/63	Rev. 1/67	34/64	Rev. 301/66
195/63	Rev. 177/64	35/64	Rev. 239/67
196/63	See S.O. 1966, c. 142, s. 147 (1).	39/64	Rev. 309/64
		42/64	Rev. 107/66
199/63	Exp.	45/64	Rev. 240/67
202/63	Rev. 28/66	46/64	Rev. 139/65
210/63	Rev. 235/64	50/64	See S.O. 1964, c. 17, s. 1
213/63	Rev. 1/67		
214/63	Exp.	54/64	Rev. 94/67
217/63	Rev. 174/66	58/64	Rev. 1/67
218/63	Rev. 50/66	62/64	Rev. 175/65
224/63	Rev. 308/63	67/64	Rev. 302/64
226/63	Rev. 208/67	71/64	Rev. 1/67
238/63	Rev. 110/66	77/64	Rev. 1/67

R.R.O. 1960 Regulations	Disposition	Ontario Regulations	Disposition
78/64	Exp.	250/64	Rev. 274/67
79/64	Exp.	255/64	Rev. 7/65
82/64	Rev. 208/67	256/64	Rev. 8/65
83/64	Rev. 378/66	257/64	Rev. 9/65
86/64	Rev. 320/65	258/64	Rev. 6/65
92/64	Rev. 179/67	260/64	Rev. 127/67
93/64	Rev. 208/67	263/64	Rev. 276/66
95/64	Rev. 6/65	269/64	Rev. 375/66
96/64	Rev. 6/65	271/64	Rev. 72/66
97/64	Rev. 7/65	272/64	Rev. 65/67
98/64	Rev. 7/65	273/64	Rev. 66/67
99/64	Rev. 38/66	277/64	Revkg.
100/64	Rev. 8/65	286/64	Rev. 159/65
101/64	Rev. 8/65	290/64	Rev. 139/65
102/64	Rev. 38/66	291/64	Rev. 217/67
103/64	Rev. 7/65	292/64	Rev. 208/67
104/64	Rev. 71/67	298/64	Exp.
107/64	Rev. 208/67	300/64	Rev. 297/65
108/64	Rev. 1/67	301/64	Rev. 314/65
111/64	Revkg.	303/64	Rev. 1/67
115/64	Rev. 163/67	306/64	Rev. 287/67
120/64	Rev. 302/66	307/64	Exp.
124/64	Rev. 213/65	318/64	Rev. 260/65
125/64	See S.O. 1965, c. 72, s. 27	321/64	Rev. 151/65
126/64	Rev. 38/66	327/64	Rev. 297/65
127/64	Rev. 7/65	332/64	Exp.
128/64	Rev. 7/65	333/64	Rev. 166/66
129/64	Rev. 200/65	336/64	Rev. 166/67
130/64	Rev. 28/66	338/64	Rev. 239/67
133/64	Rev. 260/65	341/64	Rev. 276/66
134/64	Rev. 359/66	346/64	Rev. 61/66
137/64	Rev. 1/67		
139/64	Rev. 176/64		
143/64	Rev. 7/65	6/65	Rev. 39/66
144/64	Rev. 8/65	7/65	Rev. 39/66
145/64	Rev. 7/65	8/65	Rev. 39/66
146/64	Rev. 6/65	9/65	Rev. 40/66
147/64	Rev. 6/65	14/65	Rev. 56/67
148/64	Rev. 8/65	15/65	Rev. 92/66
149/64	Rev. 61/66	19/65	Rev. 6/66
152/64	Rev. 158/65	21/65	Rev. 208/67
153/64	Rev. 153/65	38/65	Rev. 1/67
156/64	Rev. 139/67	42/65	Rev. 187/65
165/64	Rev. 1/67	43/65	Rev. 24/66
169/64	Rev. 4/67	44/65	Rev. 260/65
172/64	Rev. 309/64	49/65	See S.O. 1966,
174/64	Rev. 208/67		c. 142, s. 147 (1)
177/64	Rev. 159/65	51/65	Rev. 213/65
182/64	Rev. 240/66	55/65	Rev. 188/65
187/64	Rev. 217/65	57/65	Exp.
189/64	Rev. 279/65	67/65	Rev. 1/67
190/64	Rev. 359/66	68/65	Rev. 239/65
192/64	Rev. 158/65	78/65	Rev. 199/65
201/64	Rev. 188/65	79/65	Rev. 1/67
202/64	Rev. 1/67	81/65	Rev. 208/67
206/64	Rev. 139/65	82/65	Rev. 208/67
211/64	Rev. 278/65	86/65	Rev. 1/67
214/64	Rev. 50/67	95/65	Rev. 104/67
218/64	Rev. 8/65	106/65	Rev. 239/67
220/64	Revkg.	107/65	Rev. 260/65
222/64	Rev. 262/64	114/65	Rev. 260/65
230/64	Rev. 25/65	119/65	Rev. 110/66
232/64	Rev. 239/67	145/65	Rev. 208/67
245/64	Rev. 260/65	146/65	Rev. 208/67
246/64	Rev. 264/66	147/65	Rev. 208/67
247/64	Rev. 102/66	150/65	Rev. 213/65
248/64	Rev. 43/65	151/65	Rev. 188/65

Ontario Regulations	Disposition	Ontario Regulations	Disposition
153/65	Rev. 288/66	37/66	Rev. 295/67
158/65	Rev. 9/66	45/66	Rev. 85/66
159/65	Rev. 253/66	65/66	Exp.
167/65	Rev. 1/67	67/66	Rev. 155/66
168/65	Rev. 253/65	77/66	Exp.
177/65	Rev. 208/67	80/66	Rev. 171/66
181/65	Rev. 253/66	83/66	Rev. 276/66
190/65	Rev. 359/66	89/66	Rev. 69/67
194/65	Rev. 208/67	98/66	Rev. 75/67
196/65	Rev. 107/67	111/66	Exp.
198/65	Rev. 1/67	119/66	Rev. 361/66
199/65	Rev. 199/66	122/66	Exp.
200/65	Rev. 331/66	123/66	Exp.
217/65	Rev. 1/67	136/66	Rev. 1/67
220/65	Rev. 1/67	138/66	Exp.
230/65	Rev. 40/67	139/66	Rev. 24/67
240/65	Exp.	145/66	Rev. 75/67
252/65	Rev. 72/67	146/66	Rev. 276/67
254/65	Rev. 373/66	148/66	Rev. 310/66
260/65	Rev. 75/67	155/66	Rev. 75/67
261/65	Rev. 127/67	159/66	Rev. 56/67
265/65	Rev. 335/66	161/66	Rev. 194/66
277/65	Rev. 263/67	176/66	Rev. 75/67
282/65	Rev. 44/66	178/66	Rev. 350/66
283/65	Rev. 129/67	181/66	Rev. 1/67
284/65	Rev. 303/65	210/66	Rev. 1/67
288/65	Rev. 107/67	218/66	Rev. 75/67
298/65	Rev. 76/67	232/66	Rev. 82/67
300/65	Rev. 75/67	236/66	Rev. 365/66
303/65	Revkg.	247/66	Rev. 1/67
304/65	Rev. 263/67	248/66	Rev. 75/67
305/65	Exp.	253/66	Rev. 272/67
311/65	Rev. 199/66	256/66	Rev. 24/67
314/65	Rev. 389/66	257/66	Rev. 359/66
320/65	Rev. 296/66	259/66	Rev. 287/66
321/65	Rev. 1/67	266/66	Rev. 359/66
329/65	Revkg.	277/66	Rev. 104/67
342/65	Rev. 129/67	287/66	Rev. 324/66
343/65	Rev. 196/67	288/66	Rev. 294/67
344/65	Rev. 44/66	307/66	Rev. 196/67
351/65	Rev. 24/66	314/66	Rev. 295/67
354/65	Rev. 104/67	319/66	Rev. 359/66
		324/66	Rev. 75/67
		326/66	Rev. 1/67
		330/66	Rev. 272/67
		338/66	Rev. 75/67
1/66	Rev. 145/66	351/66	Rev. 24/67
6/66	Rev. 36/67	377/66	Rev. 75/67
9/66	Rev. 295/67	391/66	Rev. 173/67
13/66	Rev. 395/66	395/66	Rev. 75/67
17/66	Rev. 341/66		
24/66	Rev. 24/67		
31/66	Exp.	14/67	Rev. 75/67
33/66	Rev. 359/66	28/67	Rev. 172/67
36/66	Rev. 341/66	73/67	Rev. 235/67



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